

MADE CHINA

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VOLUME 6, ISSUE 1, JAN-APR 2021

THEN AND NOW

Looking Back and Imagining the Future of Chinese Civil Society



MADE IN CHINA JOURNAL

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AIMS AND SCOPE:

The *Made in China Journal* (MIC) is a publication focussing on labour, civil society, and human rights in China. It is founded on the belief that spreading awareness of the complexities and nuances underpinning socioeconomic change in contemporary Chinese society is important, especially considering how in today's globalised world Chinese labour issues have reverberations that go well beyond national borders. MIC rests on two pillars: the conviction that today, more than ever, it is necessary to bridge the gap between the scholarly community and the general public, and the related belief that open access publishing is necessary to ethically reappropriate academic research from commercial publishers who restrict the free circulation of ideas.

INFORMATION FOR CONTRIBUTORS:

Authors are invited to submit articles, notes, or book reviews, but are encouraged to discuss their ideas with the editors beforehand. All manuscripts are subject to a refereeing process. Manuscripts and editorial correspondence should be emailed to: editors@madeinchinajournal.com.

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**‘Prairie fires can’t
consume them
completely,
a spring breeze
blows and again
they rise’**

Grass, Bai Juyi, c.787, cited by Ministry
of Civil Affairs Comrade in Charge, 2021



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Then and Now

Looking Back and Imagining the Future of Chinese Civil Society

'Prairie fires can't consume them completely,
a spring breeze blows and again they rise'
Grass, Bai Juyi, c.787, cited by Ministry of Civil
Affairs Comrade in Charge, 2021

In the spring of this year, China's central authorities issued a policy that seeks to change norms of China's civil society that have been established over the past thirty years. At a moment that portends a closing of space for unregistered NGOs and a possible shift in the ways NGOs can emerge, evolve, and cooperate with other social and state entities, we thought it important to look back to revisit the development of China's civil society over the past decades. Not only is this exercise important in enabling us to understand the shifts now taking place, but it also reminds us of the possibilities that once were, and the possible futures that may be. With this issue we wanted to bring together practitioners, whose experience of running or participating in organisations and initiatives is invaluable both in and of itself but also in helping us to reflect. We sought to bring their insights together with those of scholars who also have a deep interest, and often practical experience, in China's organised civil society, studying its different aspects and dynamics. We hoped, too, to capture something of the vibrant diversity of organised civil society during its early (re-)emergence in the 1990s and to remember, as best we could, some of the early pioneers and possibilities.

The special section of this issue includes eleven essays. **Holly Snape** opens the section with an analysis of the latest policies put forward by the Chinese Government with the declared aim of 'cleansing the social organisation ecological space'.

She then engages **Wang Weinan** in a conversation on the importance of adopting an oral history approach to track the development of nongovernmental organisations (NGOs) in China. **Kang Yi** reflects on the changes that have occurred within China's civil society since the Sichuan earthquake of 2008, a tragedy that triggered a massive societal mobilisation that was then hailed as a new dawn for Chinese NGOs. **Zhou Jian** and **Tian Hui** share their thoughts on the development of the 'public benefit' (公益) sector over the years as it has become increasingly focused on efficiency and competitiveness (市场化), and on scaling up (规模化), as well as their experiences in poverty alleviation and rural development. **Shixin Huang** traces the formation and evolution of the sector of Chinese civil society working on issues related to disability from the late 1980s to today, proposing a periodisation in three stages shaped by both domestic and transnational forces of sociopolitical change. **Stephanie Yingyi Wang** offers a feminist political economic analysis of the development of Chinese urban-based LGBT activism since the 1990s, meditating on the gendered politics within LGBT activism and exploring the tension between LGBT groups' NGO-isation process in the context of transnational movements and the Party-State's attempts to eliminate organisations linked to the 'imperial West'. **Lu Jun** looks back to his time at the helm of the Beijing Yirenping Centre, one of the most remarkable grassroots NGOs to emerge in China during the Hu and Wen era, active in the field of anti-discrimination through an innovative mix of strategies. **Jude Howell** charts the twists and turns of China's labour NGOs since the mid-1990s, identifying three key stages in their growth. **Eva Pils** reconstructs the history of China's human rights lawyers, highlighting how their divisions today reflect our era's global human rights backlash. **Ying Wang** looks into the internationalisation of Chinese NGOs today, exploring the roots of the phenomenon, its potential, and the constraints that these organisations face when they decide to operate abroad. Finally, **Lawrence Deane** concludes the section on a note of relative optimism, arguing that the new policies of the Chinese Government are unlikely to put an end to organised efforts to work for change.

With this issue, we inaugurate a new section called ‘Global China Pulse’. This section includes essays that examine various facets of China’s international engagements and is published in collaboration with the **People’s Map of Global China**, a new project aimed at tracking China’s global footprint that we recently launched (<https://thepeoplesmap.net>). Here, you will find an essay by **Kelly Wanjing Chen** in which she draws from her fieldwork on the construction sites of the trans-Laos railway to investigate China’s ‘labour puzzle’, that is the question of why China’s infrastructural expansion in some countries continues to demonstrate overwhelming reliance on labour sourced from home. **Mark Grimsditch** delves into Chinese investment in Cambodia’s energy sector, arguing the energy investment priorities of Chinese companies and banks, along with the development decisions of the Cambodian Government, in the long term could set back industrial upgrading, diversification, and job creation, ultimately harming Cambodia’s economy. Finally, **Edmund Downie** takes China’s opium replacement planting program in northern Myanmar as a case study to reflect on the challenges that Chinese small and medium enterprises face when they decide to operate abroad.

The issue opens with an op-ed by **Hong Zhang** that tackles the recent debates on whether China’s Belt and Road Initiative is slowing down. In the China Columns section, **Kailing Xie** and **Yunyun Zhou** looks into the recent proliferation in China’s mass media of state-sponsored TV series that promote the Communist Party’s image as a national saviour and citizens’ patriotic sentiment in the wake of the COVID-19 crisis. **Jin Xianan** and **Ni Leiyun** reflect on their experiences as immigrant anti-racist activists in the United Kingdom during the pandemic. **Camille Boullenois** considers how, over the past four decades, relations between bosses and workers in private enterprises in rural China have become increasingly distant and impersonal, with stricter monitoring and control of the labour process, leading to a crystallisation of the identities of ‘bosses’ and ‘workers’ and supplanting the feelings of commonality and homogeneity

among villagers. Finally, **Ling Li** and **Teng Biao** discuss former US President Donald Trump’s appeal to Chinese liberals.

We conclude the issue with three conversations about recently published books. **Darren Byler** interviews **David Tobin** about his *Securing China’s Northwest Frontier*, **Andrea Enrico Pia** and **Harriet Evans** discuss her *Beijing from Below*, and **Zeng Jinyan** has a discussion with **Sebastian Veg** about his *Minjian: The Rise of China’s Grassroots Intellectuals*. These are followed by a heartfelt tribute by **Annie Luman Ren** to the late scholar **Daniel Kane**, who passed away in April 2021. ■

The Editors

BRIEFS

Jan-Apr 2021

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Series of Mining Tragedies

On 10 January, an explosion in a goldmine in Yantai, Shandong Province, severely damaged the mine's exit and communication systems, cutting off all contact with the 22 miners trapped at a depth of more than 600 metres. A rescue team comprising more than 320 people was subsequently assembled by the Shandong Provincial Government. Having spent days tapping and waiting for signs of survivors, on 18 January, rescuers retrieved a note from the trapped miners after they pulled up the wire cable used to lower food rations. The note read: 'Don't stop trying to reach us.' As of 26 January, 11 of the miners had been rescued after being trapped for more than two weeks, while 10 lost their lives and one remained missing. About one month after this tragedy, a fire at another goldmine, in Yantai, Shandong Province, left six people dead and four injured. On 26 March, local authorities in Shanxi Province confirmed that a gas outburst at a coalmine in Zuoquan County had killed four miners and injured another eight. Two weeks later, another coalmine gas outburst happened in Jinsha County, Guizhou Province, killing eight people and injuring one. On 10 April, a coalmine in Hutubi County, Xinjiang, was flooded while 29 miners were working at the site. While eight miners were lifted out of the mine the next day, the other 21 remained trapped, waiting for rescue (no further update about their fate was reported in the media). *JL*

(Sources: BBC News; CGTN 1; CGTN 2; China National Radio; China News; Deutsche Welle; Global Times; Reuters; The Guardian)

Hard Times for Human Rights Lawyers and Activists

The first four months of 2021 were a challenging time for Chinese activists. In January and February, lawyers Ren Quanniu and Lu Siwei were both disbarred after seeking to defend a Hong Kong democracy activist charged with illegally leaving the territory as he attempted to flee repression. In early February, human rights activist Guo Feixiong was blocked from leaving China to join his family in the United States and no news on his whereabouts has since emerged. Also in February, Chinese publisher Geng Xiaonan, who angered Chinese authorities by supporting former outspoken Professor Xu Zhangrun, was sentenced to three years in prison. In March, prominent women's rights and labour activist Li Qiaochu was formally arrested again and held in a psychiatric hospital in Linyi, Shandong Province. Foreign citizens in China did not fare any better. In March, less than two months after Australian citizen and former CGTN journalist Cheng Lei was detained under suspicion of 'supplying state secrets overseas', Canadian citizens Michael Kovrig and Michael Spavor—both accused of espionage—were tried behind closed doors. Gender-related activism also came under assault. In early January, He Qian, a former intern at a Chinese magazine, lost her sexual harassment case against former colleague Deng Fei after a Chinese court ruled that Ms He had violated defamation laws by publicly accusing Mr Deng of sexual assault. In late February, a Chinese court ended a four-year-long lawsuit on homosexuality by upholding its original verdict that the homophobic content in a college textbook 'does not constitute an intellectual error'. In mid-April, several feminist channels on Douban, a Chinese online discussion forum, were abruptly closed, and Chinese feminists were subject to incessant chauvinistic and misogynistic attacks on social media. *JL*

(Sources: ABC News; AP News; BBC News; Committee to Project Journalists; Global Times; Hong Kong Free Press; Radio Free Asia 1; Radio Free Asia 2; Reuters; The New York Times; The Washington Post)

More Scandals in China's Tech and Delivery Industries

In early 2021, delivery workers once again made headlines in China. A survey by China's State Post Bureau revealed that more than half of Chinese delivery workers earn less than RMB5,000 (US\$766) per month and only 1.3 per cent earn more than RMB10,000. In January, one delivery worker set himself on fire after his employer delayed issuing his paycheque. In March, delivery worker and labour activist Chen Guojian, also known by his media handle 'Leader of Delivery Rider Alliance' (外送江湖骑士联盟盟主), was detained by Beijing authorities after advocating for greater labour rights protection and subsequently charged with 'picking quarrels and provoking trouble'. He had recently exposed online food delivery service platform Ele.me for its deceptive holiday overtime bonus plans in a video that received more than one million views on Weibo. Workers in China's tech industry also made headlines in the same period. In early January, Pinduoduo, one of China's largest e-commerce platforms, was sharply criticised for overworking its employees, after a 22-year-old worker collapsed from exhaustion on her way home from a late-night shift in late December 2020, and later died. After issuing condolences, a company statement online defended its practices by rhetorically asking: 'Who isn't trading life for money?' The statement was later deleted, and a spokesperson claimed it was fake. Two weeks later, a 23-year-old Pinduoduo employee committed suicide after experiencing high levels of stress since joining the company. Another employee, who was fired for criticising Pinduoduo, then posted a video that quickly received 52 million views, describing Pinduoduo's exploitation: imposing 380 work hours per month, 'serving spoiled food in cafeterias, forcing employees to work on holidays, and asking them to improve productivity by cutting down on toilet time'. Netizens called for a boycott. *AK*

(Sources: Caixin; China Labour Bulletin; NPR; Protocol; SupChina 1; SupChina 2; SupChina 3)

High International Tensions over Xinjiang

International tensions over human rights issues in Xinjiang remained high in early 2021. In January, in one of the final acts of the Trump administration, former US Secretary of State Mike Pompeo declared that China was carrying out a genocide against Uyghurs and other Muslim people. China hit back at the United States, on 25 January, dismissing this labelling as 'lies', but by late April, the Canadian, Dutch, and British parliaments had all declared China's actions against Uyghurs in Xinjiang genocide. In early February, the *BBC* published a report about the rape of Uyghur women in internment camps in Xinjiang. Amid international criticism, China staged an aggressive campaign to push back, including attacking female Uyghur witnesses who made claims about human rights violations in Xinjiang. Much of the discussion in these months revolved around issues of forced labour. In late February, a Bill was introduced into the Australian Parliament that, if approved, would ban imports from Xinjiang. On the European front, on 7 March, China's Foreign Minister Wang Yi confirmed that as a commitment under the European Union–China investment deal, China had agreed to make 'continued and sustained efforts' to ratify relevant International Labour Organization conventions on forced labour. Nevertheless, on 8 March, the Xinjiang Communist Party's website published a report stating that companies in Xinjiang had filed a lawsuit against prominent researcher Adrian Zenz, claiming his research on forced labour in the region tarnished their business. After the European Union imposed sanctions on four Chinese officials in late March, China hit back by sanctioning EU officials, scholars, and institutions, jeopardising the investment deal. Meanwhile, H&M and other foreign companies experienced a backlash from Chinese consumers over their ban on Xinjiang cotton, losing ground to Chinese domestic brands. *JL*

(Sources: ABC News; BBC News; Deutsche Welle; Financial Times; People's Congress of Xinjiang; Politico 1; Politico 2; Radio Free Asia; Reuters 1; Reuters 2; SBS News; The Guardian 1; The Guardian 2; The Guardian 3)

Never-Ending Repression in Hong Kong

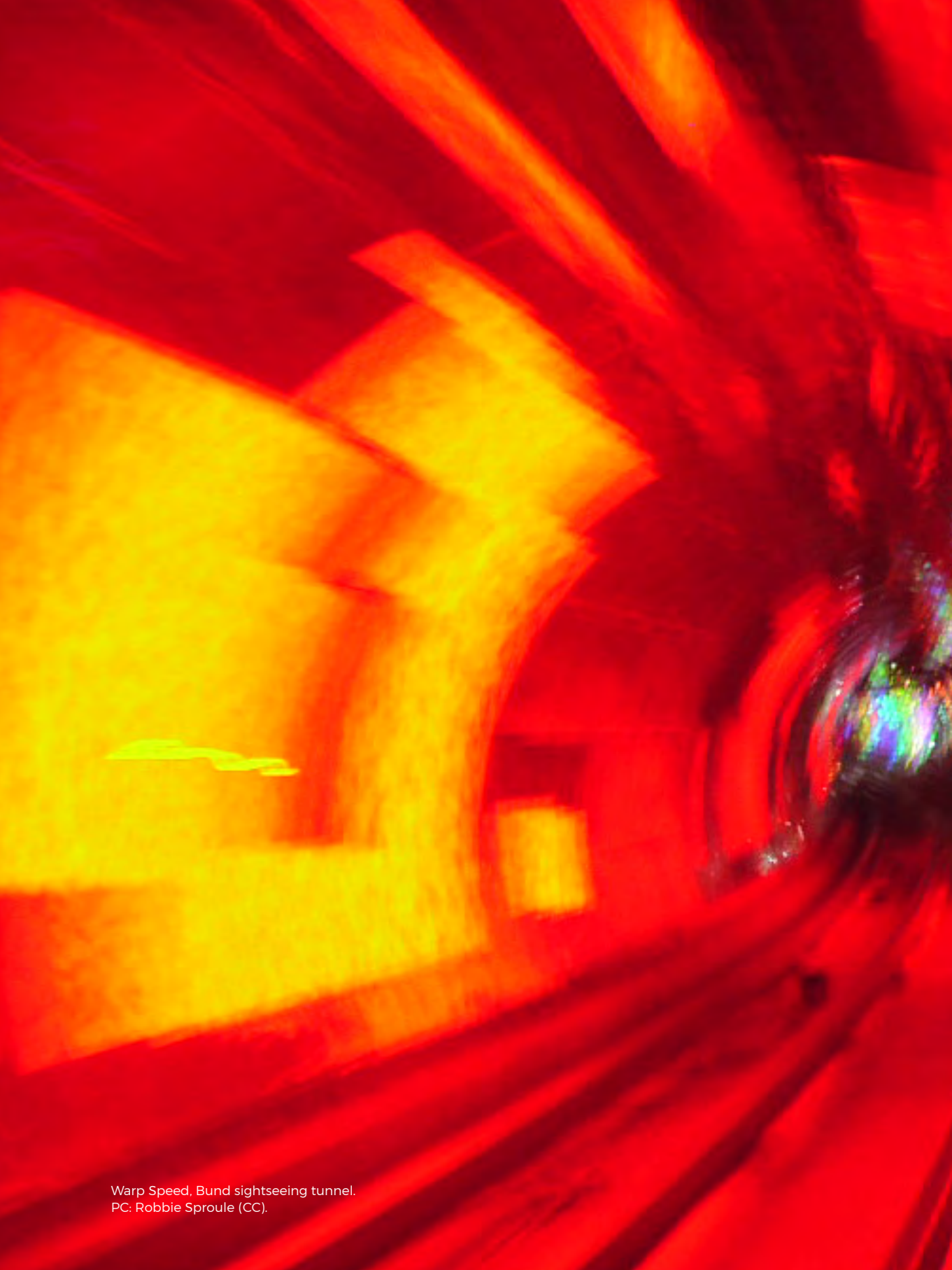
China continued to tighten its grip on Hong Kong in early 2021. On 6 January, 55 prodemocracy activists were arrested, 47 of whom, including trade unionists Carol Ng and Winnie Yu, were subsequently charged with ‘conspiracy to commit subversion’ under the National Security Law (NSL). On 9 February, Chief Executive Carrie Lam confirmed Hongkongers with dual nationality were no longer entitled to foreign consular assistance. Two weeks later, the Hong Kong Government introduced a new obligation for public officials in the city to pledge allegiance to the Communist Party. Meanwhile, the Hong Kong Government told 14 countries to stop accepting the British National Overseas passport as a valid travel document. In mid-March, several groups decided to withdraw from Hong Kong’s Civil Human Rights Front amid investigations into whether the organisation violated the NSL. On 30 March, the National People’s Congress in Beijing approved a sweeping overhaul of Hong Kong’s electoral system. Under the new system, the number of Legislative Council seats to be directly elected by the public has been radically reduced, and all candidates will be vetted for political loyalty. On 1 April, seven prodemocracy activists were convicted of attending an unauthorised assembly on 18 August 2019, but no-one pleaded guilty. This group included media mogul Jimmy Lai, who had earlier been denied bail under the NSL, and trade unionist Lee Cheuk-yan. However, Lai and Lee pleaded guilty on 8 April to attending an unauthorised protest on 31 August 2019. On 16 April, Lai and Lee were sentenced to 14 months in jail. One week later, journalist Choy Yuk-ling of the *RTHK*, the city’s public broadcast system, was found guilty of ‘making false statements’ to acquire public records for a report critical of the Hong Kong Police. *JL*

(Sources: ABC News; BBC News 1; BBC News 2; Global Times; Hong Kong Confederation of Trade Unions; Hong Kong Free Press 1; Hong Kong Free Press 2; SBS News; The Conversation; The Guardian 1; The Guardian 2; The Guardian 3; The Guardian 4; The New York Times)

Xi Declares Victory in ‘War on Poverty’

In February, President Xi Jinping announced that the Chinese Communist Party (CCP) had officially eradicated extreme poverty in China. The announcement marked the culmination of a five-year campaign that started in 2015 to lift more than 100 million people out of poverty—just in time for the CCP’s centennial in 2021. Since Xi took office in 2012, Chinese authorities have spent almost RMB1.6 trillion (US\$248 billion) on poverty alleviation. However, critics argue that this success is overblown. While China’s definition of poverty—an income of less than US\$2.30 per day—is above the World Bank’s lowest threshold of US\$1.90, it is below the US\$5.50 threshold for upper-middle-income countries, such as China. Some 27 per cent of China’s population—more than 370 million people—still live on less than US\$5.50 per day. In addition, Xi’s poverty-alleviation campaign focused only on rural areas, neglecting urban poverty. Some Chinese netizens on Weibo reacted to the announcement with scepticism, with one user joking: ‘China has eliminated absolute poverty. That’s right. Everyone is just relatively poor.’ Another wrote: ‘Perhaps the Motherland forgot to count me.’ Nonetheless, the World Bank estimates that China has lifted 800 million people out of poverty since reforms in the 1970s, and poverty alleviation in China has accounted for more than 60 per cent of the decrease in global poverty since 1990. Marking its victory, the CCP released a 30,000-word White Paper on poverty alleviation to ‘serve as a reference for other countries’. China’s success has even inspired a new genre of television shows called ‘poverty-alleviation dramas’ (扶贫剧). Twenty-two of these shows appeared in 2020 alone, the most popular of which, called *Minning Town* (山海情), has a 9.4/10 rating from 100,000 reviews on Douban. *AK*

(Sources: BBC News; Inkstone; South China Morning Post 1; South China Morning Post 2; SixthTone; SupChina; The Diplomat; The New York Times; The Washington Post; Xinhua)



Warp Speed, Bund sightseeing tunnel.
PC: Robbie Sproule (CC).



OP-ED

Is China's Belt and Road Initiative Slowing Down?

Hong ZHANG

More than seven years since China launched its ambitious Belt and Road Initiative (BRI), a widely held view from the outside is that this endeavour has now slowed down. Such an assessment is typically supported by evidence that China's overseas financing was in decline even before the COVID-19 pandemic. An influential article published in the *Financial Times* in December 2020 provides a perfect case in point (Kynge and Wheatley 2020). Citing data collected by Boston University showing a sharp drop in the overseas lending of China's two main policy banks in 2019, the article concludes that China is 'pulling back' from the world.

This begs the question of what is the proper measurement of the BRI's progress? Answering this question first requires an accurate conceptualisation of what the initiative is about. Outside China, reports tend to describe the BRI as an infrastructure project and give it a price tag. The same *Financial Times* article, for instance, refers to the BRI in these terms: 'China has promised to spend about \$1tn on building infrastructure in mainly developing countries around the world—and finance almost all of this through its own financial institutions.' This reflects a common view of the BRI as a centralised deployment of China's financial resources exclusively targeting the infrastructure sector. As such, the BRI's progress is measured by how much funding China can dispatch and how many projects are realised.

How, on the other hand, does the Chinese Government measure the progress of the BRI? A report released in April 2019 by the Office of the Leading Group for Promoting the Belt and Road Initiative (推进'一带一路'建设工作领导小组办公室), the secretariat of the top

The BRI should instead be seen as an all-out drive to build political, institutional, social, industrial, and financial ties with countries around the world; while infrastructure is the most talked-about element in it, it is not necessarily the most important one.

decision-making body for BRI-related issues, provides a template. Progress is reported under the six pillars of the initiative: policy communication, infrastructure connectivity, trade facilitation, financial integration, people-to-people ties, and industrial cooperation (Office of the Leading Group for Promoting the Belt and Road Initiative 2019). They are measured not just by the number of infrastructure projects being implemented, but also by the number of multilateral and bilateral statements endorsing the BRI, initiatives for sectoral cooperation, newly opened logistics channels, trade and taxation agreements, increased flows and new forms of trade, cross-border co-investment funds, lending syndicates, fund-raising tools, currency swaps, cultural festivals and tourism events, international scholarships, humanitarian assistance, and overseas industrial parks, among others.

Clearly, not all these activities can be measured in terms of financial value, and relevant outputs of the BRI involve a much wider array of activities than just infrastructure projects. The BRI should instead be seen as an all-out drive to build political, institutional, social, industrial, and financial ties with countries around the world; while infrastructure is the most talked-about element in it, it is not necessarily the most important one. The level of Chinese bank lending is also a poor measurement of the BRI's progress, as these outputs require inputs of not only financial resources, but also diplomatic capital and administrative and technical capacity.

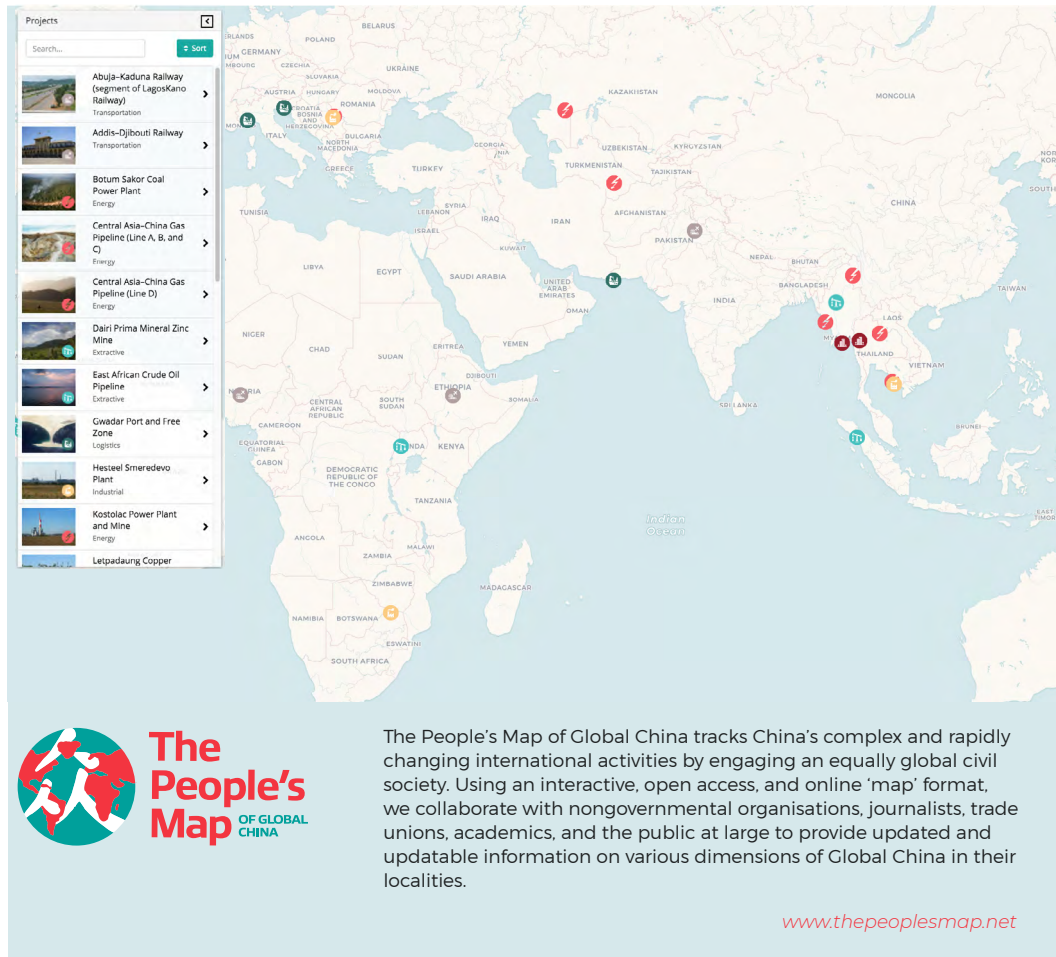
A Pyramid-Shaped System

With this understanding, we can start to make a more granular analysis of the BRI's content and progress. Here I propose a framework that divides the BRI's activities into four levels in terms of the actors involved, which together can be thought of as constituting a pyramid-shaped system. At the top are the high-level diplomatic engagements leading to the formation of intergovernmental agreements for cooperation. This is also the set of statistics most often used by the Chinese Government when reporting on the progress of the BRI: as of June 2021, 205 documents have been signed with 140 countries and 31 international organisations, the latest being with the Democratic Republic of Congo and Botswana in January 2021 (Xinhua News Agency 2021a, 2021b; yidaiyilu.gov.cn 2021). The majority of these documents are general memoranda of understanding on the 'co-construction of the Belt and Road', which may be no more than a written record of the areas in which both countries have agreed to strengthen cooperation, and which may or may not be followed by concrete action. Only for a small number of countries and organisations—for instance, the African Union, Cambodia, the Czech Republic, Hungary, Kyrgyzstan, Laos, Tajikistan, and Ukraine—has a more concrete 'Cooperation Plan' been

signed, suggesting a greater specification of objectives and responsibilities. But none of these documents is legally binding and they can be adjusted or reversed, as seen in the recent cancellation of the ‘Framework Agreement’ between the Victorian State Government in Australia and China’s National Reform and Development Commission, as a result of the souring Australia–China relations (State Government of Victoria 2021).

The second level takes into consideration the more technocratic undertakings regarding trade, investment, financial infrastructure, taxation, customs, standards harmonisation, and so on, which involve the relevant central state bureaucracies reaching out to their counterparts in partner countries or proposing new initiatives in international forums with the aim of reshaping the international institutional environment. For example, China’s agreements with at least 10 countries on the avoidance of double taxation or tax exemption for certain services have gone into effect since 2016 (State Taxation Administration 2021). Standard harmonisation is another area China is actively pushing, as it recognises the strategic value of increasing the international acceptance of Chinese technical standards. Two three-year action plans have been proposed for the 2015–18 and 2018–20 periods (Xinhua News Agency 2015, 2018), with the goal of completing the standard cooperation mechanisms with all countries along the Belt and Road by 2020. The plan also includes providing training for foreign governments on Chinese standards through China’s foreign aid programs. On top of that, various other central state bureaucracies have issued more than a dozen action plans in the past few years, covering fields including international cooperation in science and technology, energy, agriculture, cultural development, ecological and environmental protection, transport connectivity, language studies, technical standard-setting, and certification and accreditation. There are even plans to promote Chinese traditional medicine and China’s animation industry. This layer of activities is largely overlooked in international media reports and thus receives little public attention, but it may be where the most substantive international negotiations are taking place.

The third level is the subnational, where provincial and municipal governments engage in their own economic and cultural diplomacy, depending on their local conditions. For example, Ningxia Hui Autonomous Region, a province in northwestern China with a significant Muslim population and historical ties with the Middle East, has been active in engaging with Arab states. Similarly, the southwestern and southeastern provinces are tapping into their diaspora communities in continental and maritime Southeast Asia to identify new opportunities for engagement. Provincial and municipal governments may also be following in the footsteps of local companies into overseas markets, in their attempt to deepen ties. For example, Jiangsu Province has been actively involved in public



diplomacy and foreign aid programs in Cambodia, because Jiangsu-based manufacturers are very active in that country, including Hongdou Group, a major investor in the Sihanoukville Special Economic Zone.

The fourth level is what most external discussions about the BRI are focusing on: the infrastructure and investment projects carried out by Chinese companies and financial institutions. While the first three levels are largely activities by state actors, this bottom level sees extensive involvement of nonstate market actors as well. These economic activities include not only those with obvious strategic value, such as the construction of key infrastructure projects, but also 'ordinary' commercial activities by both state-owned and private enterprises, such as setting up a garment-making factory. A lot of the state activities in the first three levels are meant to generate and facilitate activities at this fourth level, and the intensified economic

ties are in turn supposed to tighten social and political relations. Therefore, the BRI cannot be reduced only to the activities at this last level; infrastructure and investment projects must be seen as part of China's comprehensive effort to build international ties.

A Coherent Whole?

How are the activities at different levels related to each other? Scholars have highlighted the mobilisation of competing domestic interests and the resultant fragmentation in this process (Jones and Zeng 2019; Ye 2019). Indeed, the dialectic relationship between the centralised political authority and local adaptations is perhaps one of the most obscure and least understood aspects of China's governance system: the central political authority sets high-level visions, which are kept purposefully vague and aspirational so they are amenable to local interpretations. Local political leaders—in the bureaucracy, subnational governments, and key state-owned enterprises—are then supposed to interpret these visions and develop localised action plans towards these goals, a process in which their bureaucratic, regional, or corporate interests are taken into consideration to provide proper incentives for further action down the line.

This seeming autonomy in local interpretation is, however, not risk-free. The central political authority still has the ultimate say on whether things are going in the right direction; in the event that certain local attempts go too far or cause disruption, the central political authority can blame local leaders for not doing their jobs well. As the control of personnel is highly centralised in China, this can mean the end of the political career of a local leader. Conversely, if some local attempts prove successful, the local leader may stand a better chance of promotion. In other words, China's governance system is largely result-oriented rather than rules-based, and the system operates with risk-taking at every level of the political hierarchy. As scholars have explained, this system of 'experimentation under hierarchy' emerged during China's economic transition, when the country's leadership had to cope with highly uncertain circumstances (Heilmann 2008). This coping mechanism was activated once again for the BRI as China waded into the uncharted territories of this ambitious new agenda.

Therefore, the various levels of activities are only loosely linked by some vaguely defined notion of the BRI. While the top-level diplomatic activities draw out the broad strategic contours for the BRI, they do not impose strict boundaries or spell out specific instructions for the other layers of activities. It is therefore futile to try to set an exclusionary definition of what a BRI project is: any project can be argued to serve the BRI's tie-building goals if the actors involved can make a plausible case for its potential. Companies have strong incentives to make their projects appear more credible—and many may be actively lobbying for recognition by the Chinese and

host-country governments—to receive the state’s diplomatic and financial support. As many of the BRI target countries are high-risk environments and Chinese companies tend to be inexperienced in these markets, such state support can be critical for their survival in the new ventures.

That of course does not mean that the central political authority endorses every attempt to frame a project as part of the BRI. For example, the Chinese developer of the Shwe Kokko Special Economic Zone in Myanmar presented this project as contributing to the BRI in an attempt to legitimise the highly controversial venture, only for it to be categorically rejected by the Chinese Government after a scandal erupted around activities in the zone (Embassy of the People’s Republic of China in the Republic of the Union of Myanmar 2020). However, rather than providing definitional clarity of what is considered a BRI project, the Chinese system is more focused on mobilisation, which is why it has chosen to maintain some ‘strategic ambiguity’ to activate local incentives to the maximum extent possible.

As the 2019 Office of the Leading Group document cited earlier shows, the BRI produced many outputs. However, while China’s mobilisation system may be good at generating quantitative ‘outputs’, it is not necessarily good at ensuring the achievement of qualitative ‘outcomes’, especially when the desired outcome is hard to measure. The Chinese political leadership has framed that ideal outcome as ‘building a community of a shared future for mankind’ (构建人类命运共同体)—lofty language that does not lend itself to setting tangible milestones. It is not clear how China is examining whether the BRI is approaching this outcome while actors in the system are more geared towards reporting outputs.

Since 2019, after concluding that previous BRI activities had reached a satisfactory level of overall structural coverage, the Chinese political leadership has recalibrated the objective of the BRI to be ‘high-quality development’ (高质量发展) (Xi 2019). Again, the concept of ‘high-quality development’ is kept vague except for the statement, inscribed in President Xi Jinping’s speech at the Second Belt and Road Forum for International Cooperation, that ‘[t]he BRI must be open, green, and clean, and follow a high-standard, people-centred and sustainable approach’. As in the previous period, various actors in China’s bureaucracies, subnational governments, and companies are now competing to interpret the mission statement. As can be expected, actors will likely choose to highlight indicators for which progress is easier to quantify and demonstrate, while qualitative assessment of the complex underlying issues may be sidelined. Meanwhile, external actors are also taking the opportunity to influence the agenda-setting in China. For example, in April 2020, 265 civil society organisations from around the world issued a public statement addressed to the Chinese authorities, which set out 10 principles to ensure that projects are ‘high quality’, and

highlighted 60 Chinese-sponsored projects in various sectors that do not meet these criteria (Civil Society Groups 2020). It is not clear how the Chinese Government is responding to such suggestions.

Towards Proper Measurement of the BRI

Going back to the view about the slowdown of the BRI mentioned at the beginning of this article, it may not be an accurate assessment due to the improper measurement methods adopted. Even if overseas lending has dropped from previous years, we need to see whether trade and investment flows are following the same trend. According to Chinese official statistics, trade in goods with the 64 Asian and European countries in the originally conceived Belt and Road regions increased by 6 per cent and 0.7 per cent in 2019 and 2020, respectively, while China's outward foreign direct investment in these countries dropped by 7.6 per cent in 2019 before bouncing back to a 18.3 per cent growth in 2020. Notably, the rebound of investment into these countries took place against the backdrop of a dip in China's outward investment globally. But besides these economic activities, the diplomatic activities on the first three levels analysed above have continued to build, the tracking of which requires a more sophisticated BRI 'accounting' system. The more challenging task, however, is to evaluate the quality of these outputs, and that will take some serious collective efforts by researchers around the world. ■



CHINA COLUMNS





The Cultural Politics of National Tragedies and Personal Sacrifice

State Narratives of China's 'Ordinary Heroes' of the COVID-19 Pandemic

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How did China transform its initial 'Chernobyl' moment triggered by the COVID-19 outbreak into a story of national celebration? Since the end of February 2020, state-orchestrated narratives that consolidate the CCP's national saviour image and citizens' patriotic sentiment have become a dominant theme in China's mass media. Through an analysis of a state-sponsored TV series, this essay argues that a new humanistic approach is being used by the Party-State for emotional mobilisation of the public to support its leadership in times of crises.

While the rest of the world is still battling the latest wave of COVID-19 and implementing lockdown measures to combat the spread of the virus, China has been celebrating its 'victory' over the pandemic since the end of February 2020, with Xinhua (2020) announcing a book praising the country's success in disease control to be published in six languages. Compared with the initial crisis being described as China's 'Chernobyl moment' (Shih 2020), at a time when criticism from ordinary citizens abounded, the current discursive space in China appears to be

largely celebratory of the centrally coordinated state efforts that led to victory in China's so-called war against COVID-19. Zhang (2020) uses the concept of 'disaster nationalism' to describe the use of this particular mode of messaging and emotional mobilisation during times of crisis, which promotes narratives that highlight the heroic sacrifices of individuals and the unity of the nation.

COVID-themed news reports, award ceremonies, documentaries, and TV series singing the praises of 'everyday heroes' in controlling the virus have become a daily occurrence in the Chinese media. In these state-orchestrated narratives of victory, two dimensions are particularly highlighted: the superiority of socialism with Chinese characteristics under the leadership of the Chinese Communist Party (CCP), and ordinary Chinese citizens' willing participation through voluntarism to cooperate with the state's leadership. These dual forms of praise juxtapose individual citizens and the Party-State in highlighting the dialectical unity that characterises the contemporary Chinese nation. In particular, several state-sponsored TV series based on real stories of ordinary people during the Wuhan lockdown aired both nationally and internationally in 2020. This essay focuses on one of these high-profile state-sponsored TV series, the controversial *Heroes in Harm's Way* (最美逆行者), which has been hailed as the first drama of its kind (CCTV News 2020). Through an analysis of this TV series, this essay investigates the primary narrative employed: the sentimental depiction of a national tragedy and the construction of 'ordinary heroes'.

Our analysis of the latest strategies in the state narrative following the COVID-19 pandemic is built on the continuing scholarly discussion of China's 'emotion work', which has long been part of the CCP's conscious strategy of psychological engineering for the purpose of political mobilisation (Perry 2002). In the reform era, despite the shift from socialist revolution to economic development, emotion-laden mobilisation strategies continue to appear in the CCP's state discourses and media representations. Carefully orchestrated emotional performances led by the Propaganda Department range from community theatre to messaging through modern-day communications

technology, including TV and cinema, which responds to and incorporates public sentiment (Perry 2013). Our analysis reveals that the Chinese Party-State's 'emotion work' has taken on new forms to adapt to the competition and shifting demands brought by market reforms. These new types of 'emotion work' adopt a humanistic approach in that personal desires and efforts gradually take on a central role in strengthening and authenticating state ideology (Dai 2018). Consequently, the glorification of 'sacrificial' and 'grateful' citizens to these stories tantalises human desires to encourage citizens' willing compliance with the Party-State's transformation of a national tragedy into its narrative of victory.

Retelling 'National Tragedies'

China's Leninist Party-State perceives control over national discourse as being key to its political longevity. Through its dynamic propaganda apparatus, CCP discourse permeates, conditions, and filters every aspect of Chinese politics, especially following the occurrence of critical events (Xie forthcoming). Sorace's (2017) seminal work on the Party-State's post-disaster responses to the Wenchuan earthquake, which killed more than 85,000 people on 12 May 2008, provides a useful example to illustrate some key features of the Party-State's narrative control that continue to be used today. Although the Chinese Government was praised for its rapid response to the emergency and for granting media access to the disaster site immediately after the earthquake, Sorace noted a change in public opinion after the publication of reports about the collapse of shoddily constructed schools that resulted in the deaths of at least 5,000 schoolchildren.

To handle the aftermath of the disaster, the Party-State relied on the 'body politics' of its cadres, who supposedly embody the Party's spirit (党性) through their personal sacrifice and suffering, showing the Party's benevolence to the people to legitimise its rule (Sorace 2017: 40). The theme of the self-sacrifice of Party cadres is often reflected

in the exemplary stories in which they prioritise the Party's mission above any personal considerations, including their own health and family interests. This theme is evident in almost all the episodes of the COVID-19 drama we are analysing—sometimes subtly through background imagery such as the use of Party flags or badge-wearing doctors and nurses, and other times more explicitly articulated, such as through the assertion that 'Party cadres should volunteer first' made during a meeting with a local Party branch in the first episode (Image 1). Expressions of the Party's leadership role are loud and clear in each episode, be it through the authoritative voices of *CCTV News* broadcasting the national deployment of resources in supporting Wuhan, or the parade of trucks and buses shipping supplies into the city. Through various displays of the Party's omnipresence in leading disaster-relief works, the Party-State is rendered as the source of meaning and moral guidance for Chinese society, as well as the source of happiness and life itself. The message remains clear: the CCP's leadership is what assures such a Chinese victory.

Although the current narrative continues to highlight cadres' willingness to sacrifice their own needs and families' interests to serve the Party's purposes, it has added strategic displays of cadres' intimate family lives in these stories to emphasise their humanness. For example, in episode one, when a military doctor is tasked with supporting

hospitals in Wuhan, she goes home to explain the situation to her daughter and ageing parents (Image 2). Although her father has just had major surgery, he supports her work. She sits down with her crying daughter, saying it is her duty as a soldier and a doctor to defend the country and save lives. This is a subtle departure from the previous portrayals of the Party cadre as almost superhuman, with their human fragility veiled until martyrdom. Portraying cadres through the lens of worried parents and crying children while they fully commit to the Party mission casts the Party's image with relatable human faces. In our view, such tactical displays of cadres' humanity feed into the growing appetite among Chinese audiences for emotional authenticity in the media content they consume, to enhance the 'emotional stickiness' of the Party discourse.

In addition, Sorace (2017) elucidates the discursive logic that binds the sacrifice of the Party cadre with the debt of gratitude incurred by the people. He contends that the Gratitude Education Campaign (感恩教育运动) launched after the Wenchuan earthquake—a top-down movement aimed at fostering a culture of gratitude towards the Party to remove negative feelings among those affected by the disaster—presents the 'modular blueprint of Party legitimacy' (Sorace 2017: 41). Similar emphasis on gratitude towards the Party's leadership is noted in the current COVID-19 crisis, but with a more subtle and



Image 1: A mobilisation meeting initiated by the party branch in the local bus company, where party members are called on to take the lead in volunteering to support. *Heroes in Harm's Way*, episode 1.



Image 2: Military doctor Xiaoning volunteers herself at the Party branch meeting to support Wuhan, despite her family difficulties (ailing parents caring for her young daughter, and her husband serving long-term abroad). *Heroes in Harm's Way*, episode 1.

diverse approach adapting to the changing public mood. For example, the suggestion of launching another gratitude education campaign among Wuhan residents to thank the Party for its leadership—made by the Party secretary in Wuhan on 7 March 2020—was met with public outrage. Three days later, the official message swiftly changed to ‘the Party and Chinese people thank the people of Wuhan’, as publicised in a speech given by President Xi Jinping in which he praised the people of Wuhan for their ‘Chinese spirit, Chinese strength and ... family/national sentiment’ (Xinhua 2020). Alongside Party cadres, ordinary citizens, frontline workers, and volunteers have become the common targets of this new gratitude campaign, evidenced in the TV series in which gratitude is mutually expressed among people and the Party. Notably, the drama also features an intense encounter between a Wenchuan earthquake survivor and a People’s Liberation Army soldier who took part in the earthquake rescue, with the earthquake survivor now the medical worker who vows to sacrifice everything to help the soldier, who is a COVID patient in a Wuhan hospital. Such scenes enhance the show’s emotional appeal through a heightened sense of paying back the previous gratitude received. This sense of paying back can also be found in the volunteer bus driver, a rural migrant woman, who in the first episode explains her heroism as a way of ‘paying back to her beloved Wuhan, where she lived for 15 years’.

The discursive strategy of gratitude manufactures intimacy between the Party and the people to further blur the boundaries between the Party, the people, and the Chinese nation, rendering them as indivisible. The multilayered expressions of gratitude within the country serve to harmonise social tensions exacerbated during COVID-19 and present the CCP as the only legitimate national unifying force. They also consolidate the political leadership of the Party by documenting the moral debts of the people under its monopoly, implying the imperative of future payment. This series reminds people of both the formidable strength and the compassion of the Party as a benevolent ruler, on which the survival and prosperity of the Chinese people supposedly depend. Yet, Sorace (2020) incisively points out that gratitude, seen

in both US and Chinese political discourse in the midst of the pandemic, is the ideology of sovereignty in crisis.

Narrating ‘Ordinary Heroes’

Another dimension of China’s new humanistic state narrative is to put human desires and sacrifices at the centre of its portrayal of ordinary people and their struggles with the health crisis that suddenly upended their daily routines, their workplaces, and their communities. Against the background narratives of COVID-19 as a national tragedy, this TV series embraces the new human-centred emotional mobilisation approach by highlighting citizens’ struggles to fulfil their fundamental human desires. It constructs a powerful and mobilising narrative that ordinary citizens have become China’s ‘counter-pandemic heroes’ with an extraordinary sense of self-sacrifice and endurance, regardless of their professional and social roles.

One of the centrepieces of Xi Jinping’s ideological campaign is the ‘Construction of Family Values’ (家风建设), which considers harmonious and virtuous families as the cornerstone of a prosperous and powerful Chinese nation. It is, therefore, not surprising that this state-produced series centres its narrative on the lived and resolved struggles of idealised heterosexual and ‘productive’ families. All seven stories presented in the series highlight the characters’ desires for a heteronormative family life, with couples longing to see each other, and parents missing their young children. This is a theme particularly emphasised in episodes five and six, in which a four-member family is forced to separate when a young woman and her mother-in-law start to show COVID-19 symptoms and her husband has to move to another place with their young son.

The story unfolds as the mother-in-law becomes increasingly angry and frustrated by the fact that she could not stay with her son and grandson even on the eve of Chinese New Year. In the meantime, the young woman, despite her own illness, has to make sure the rules of self-quarantine are strictly followed in their apartment and take care of her

uncooperative mother-in-law. In the telling of the story of a family hit hard by the pandemic, the mother-in-law's outspoken anger, distrust, and complaints contrast with the young woman's calm reactions and underlying anxiety, which employ the difficult mother-in-law stereotype that invites strong emotional empathy from the audience with an everyday domestic scenario. The depiction of these relatable human emotions reinforces the series' portrayal of the COVID-19 pandemic as an unpredictable and unmanageable event that tears apart families and distances parents from their children, and husbands from wives. Yet, exemplified by the selfless devotion of the daughter-in-law in the series, the new state narrative emphasises that families should serve as a buffer zone where the anxiety, anger, and distress caused by a national crisis should be digested internally to produce a harmonised and united front in the battle against COVID-19.



Image 3: New Year's Eve in home quarantine. A young woman and her mother-in-law, who have no choice but to share their festival feast separated by a glass shield. *Heroes in Harm's Way*, episode 6.

The narrative skilfully interweaves these heart-wrenching and distressing experiences that are relatable for every ordinary citizen struggling with the tragedy of the pandemic. Bridging individual experiences with the national situation is a key narrative strategy developed in this latest state-sponsored cultural production and it serves a double purpose. First, by connecting the fates of individuals, families, and the nation, it creates a collective sympathy that makes sense of, and reconciles, the anger and distress that were felt at the beginning of the epidemic in Wuhan and

elsewhere in China. At the same time, it provides an incentive for the audience to glorify those who have lived through the pandemic as 'ordinary heroes' and the 'sacrifices' they have had to make. Both in this series and in other state media coverage, Wuhan, as the original epicentre of the coronavirus, has been repetitively glorified as a 'heroic city' (英雄的城市) where the citizens meticulously followed the lockdown policy with 'a strong sense of responsibility and spirit of self-sacrifice' (People's Daily 2020).

To solidify such heroism—unlike the CCP's previous propaganda style, which glorified an impersonal devotion to the Party order—this series praises the self-motivated volunteerism and professional dedication that are portrayed from an individualistic perspective. These portrayals often tactically sugarcoat patriotism and sacrifice with a heartfelt sense of self-realisation. To enhance its credibility and render the portrayals more realistic and representative, this series depicts a variety of professions, including military medical units, doctors and nurses, drivers, construction workers, grassroots social workers, and cleaners. Most of these professions indeed played crucial roles in maintaining Wuhan as a functional city during its 76 days of lockdown. Yet almost all the protagonists in the show demonstrate an eagerness to do well in their jobs or volunteer activities, to prove they are useful in such a national crisis. This is exemplified by the young male musician who delivers free meals to hospitals 24 hours a day to express his gratitude for the healthcare workers in Wuhan who worked hard to save his grandmother's life.

What this series chooses not to show, however, is that many of the sacrifices that took place in Wuhan were neither voluntary nor intended to 'save the nation', and those who courageously stood up to speak the truth about the pandemic were initially oppressed. For instance, Dr Li Wenliang, one of China's first whistle-blowers, who was reprimanded by the state for 'spreading rumours', died on 7 February 2020 from COVID-19. His death sparked huge waves of anger among Chinese citizens and demands for more transparency and freedom of speech. The popular sentiment at that time led to the Party-State joining the public in an attempt to appear to be 'on the

side of the people', mourning for the doctor, and later recognising him as a martyr, together with 13 others, in April 2020. Since it is impossible to completely eliminate these collective memories, Beijing has apparently chosen to integrate these stories of martyrdom into the new narrative of 'ordinary heroes', which transforms social grievances into a unifying sentiment of nationalistic pride. This new humanistic approach is not only meant to silence and harmonise public reflections on the questionable political transparency and brutality of the state-enforced lockdown during the pandemic, but also aims to regain the trust of ordinary Chinese citizens in the Party-State.

Recasting a Humanised Party

This essay has analysed the new humanistic approach adopted by China's state media to rewrite its history of the COVID-19 pandemic. Based on a case study of the first state-sponsored media representations of ordinary heroes in the epicentre of the crisis, Wuhan, it is clear that the Chinese Party-State has readily adopted narratives of disaster nationalism, gratitude politics, and heteronormative human desires as a means of nationalising personal lives to serve its political agenda. Compared with the Maoist emotional rituals that directly emphasised the collective good and state-defined goals, this new humanistic approach has evidently been designed to appeal to China's new generation of cultural consumers who value and actively seek sensational, individualistic, and relatable cultural experiences based on human feelings, desires, and struggles (Dai 2018). We argue that this humanistic and desire-centred approach has made the state media a powerful narrative tool to fuse together the Party-State's grand national, societal, and governing goals with the everyday life aspirations of China's 1.4 billion citizens.

However, these narrative strategies deployed in the first state-produced TV series focusing on the national pandemic response are still just an emerging tactic and have not yet proved to be fully

accepted by the audience. While *Heroes in Harm's Way* has become one of the most well-known and widely discussed TV series of the year, its rating on popular online forums such *Douban* and *Zhihu* reached such lows that these platforms eventually turned off the public rating and comment function for the show. Despite the series' attempt to create relatable and realistic COVID-19 stories, the Chinese public still found it inauthentic and overly ideological. One strong public criticism of this series was related to its 'backward gender values' and its unfair portrayal of women and their contribution to the fight against the pandemic (Wang 2020). As demonstrated by these public criticisms, we argue that the attempt to coopt these highly politicised emotions and narratives to channel them through a market-oriented content strategy also creates unprecedented challenges for China's authoritarian state media. The debates over, and reception of, the series should be seen as not merely signs of disaffection towards a TV program that failed to entertain, but important markers that reveal the latent civic consciousness alive within Chinese society, which is actively resisting the state's rewriting of public memory and the human tragedies experienced during the COVID-19 crisis. ■

Both authors contributed equally to this article.



Outsider Within

Young Chinese Feminist
Activism in the Age of
COVID-19 in the United
Kingdom

JIN Xianan
NI Leiyun

Detail from the poster of
the Food Conference held
at SOAS in February 2020.
PC: Chen Xiaotao.

The COVID-19 pandemic has sparked increasing racist violence against Chinese communities in the United Kingdom. In this essay, two UK-based Chinese feminists discuss their first-hand experiences while campaigning against racism during the crisis. While constantly suffering from oppressive structures, constraints, and limits as 'outsider within' British society, they describe how they managed to expand the scope and depth of their campaigns and build connections with feminists and anti-racist activists across borders and boundaries.

In early February 2020, COVID-19 sparked increasing racist violence against Chinese communities in the United Kingdom. In response to this, we as Chinese feminists who study in the country initiated a campaign called ChineseAgainstRacistVirus. Along with coordinating posts on social media, we organised a public protest in London's Trafalgar Square. Four months later, the death of George Floyd in the United States reinvigorated the Black Lives Matter (BLM) movement around the world. In response

to BLM, we coordinated another campaign, called ‘Chinese4blacklives’. Through these actions, we constantly experienced marginalities and vulnerabilities from our multilayered identities and the entangled global political environment in which we are living.

Patricia Hill Collins (1986) described this marginality as the ‘outsider within’. In her writing, marginality is described as ‘an excitement to creativity’ for African-American female intellectuals to challenge the white male hegemony in knowledge production (Collins 1986: 15). While learning from Collins and other black feminists, we found their theories liberating and illuminating for our Chinese diasporic feminist organising in the United Kingdom. However, Collins missed an opportunity to unpack the ways in which the excitement for social action was constructed and mobilised. To fill this gap, this essay unravels the ways in which the motivation to organise public antiracism campaigns for feminists in Chinese international student communities was constructed and shaped during the pandemic. We argue that the pandemic provided us with a political opportunity to accumulate our motivation to organise through these campaigns. As such, we transformed from international students detached from British politics to activists involved in British social movements.

More than three decades after Collins published her work, we hope our activism against racism will enrich the position of the racialised ‘outsider within’ beyond the specific context of the United States, by infusing it with a diasporic and transnational feminist perspective that can advance our understanding of the complexity of a global politics that is becoming more and more entangled.

Feeling the Pain from the Margins

As a result of racial injustice, Chinese international students have always been outsiders in British society. However, the pandemic has fully exposed the previously latent racism, motivating us to organise public antiracism campaigns.

At the beginning of the pandemic, wearing masks in public triggered several cases of micro-aggression and even violence against some people of East Asian appearance in the United Kingdom. According to The Guardian, Chinese students at UK universities were ‘fleeing back to China’ amid concerns about the British Government’s handling of the pandemic and an increase in racist attacks triggered by ‘maskaphobia’ (Weale 2020). As these violent incidents became a part of our daily experience on public transportation, in accommodation, universities, and working areas, our group felt anxiety, fear, and pain. However, we were unsure whether we should label these incidents racist, since most of us were quite confused about what racism was and what constituted racist behaviour.

At a loss as to how to make sense of our new reality, our daily discussions in our WeChat group were what helped us clarify our situation. We debated how to respond, ultimately deciding to adopt ‘protest’ as our approach to combat racism. One member argued that we should first win respect and trust from local British people through self-discipline and restraint, because some British people imagined Chinese people had been travelling in China and were therefore vectors of the virus. They also argued that it would not be helpful for us to term these incidents ‘racism’ or to label ourselves as ‘victims of racism’, proposing instead that we regard these behaviours as a ‘lack of respect’.

These arguments sounded very familiar to us Chinese feminists. Many of the participants in the antiracism campaign were from our UK-based Chinese feminist group, VaChina. Some of our members who have taken part in the #MeToo movement in China since 2018 could see clearly that this type of self-disciplining shares the same logic as classic ‘victim-blaming’. During the #MeToo movement in China, a group of feminists started a campaign on Weibo under the hashtag #NoPerfectVictim (#我也不是完美受害者), in which they aimed to challenge the culture of victim-blaming that is often scripted in online discussions of rape charges (Yuan 2019). From that campaign, we learned that victims do not have to apologise for the sexual violence they



Novel Coronavirus, Racism and Food culture Workshop

• Time: 02/02/2020, 3-5 pm

• Venue: SOAS, Main building, Room 459

This workshop responds to the outbreak of coronavirus racism across the UK and other countries. It aims to provide historical and anthropological perspectives on this phenomenon. It also intends to provide a safe space for Chinese students in the UK to discuss the influence of the outbreak of this virus on themselves. Chinese students of all origins are welcome.

Please register here: <https://www.eventbrite.co.uk/e/novel-coronavirus-racism-and-food-culture-workshop-tickets-921793298577?aff=ebdssbeac>

Picture credit to: 廖小娟



[Left] Poster for the Food Workshop at SOAS. PC: Instagram account @Chineseagainstracistvirus.

[Top] Logo for the Instagram account 'ESEA [East and South-east Asians] Against Racist Virus' (formerly known as 'Chinese Against Racist Virus'). Designed by Jojo.

have experienced. Similarly, as victims of racist violence, we do not have to discipline ourselves to win respect from local people, nor do we have to educate British society about why it is wrong to discriminate against Asians who wear masks.

It was not the act of wearing facemasks that triggered these violent attacks, but our racialised bodies. In fact, anyone who even looked Chinese could be a victim of racism, with many other East and Southeast Asian people subjected to racist attacks during the pandemic (Williams 2020). We fully understood that this struggle was not just for us as Chinese, but for anyone who was suffering from racism. For this reason, when we were designing the advertising for our protest, we came up with the slogan: 'Join us in protesting racism against Chinese, East and Southeast Asians!' We were fighting not only against racism towards our Chinese communities in the United Kingdom, but also together with people from all other affected groups.

Chinese Diaspora Activism from the Margins

While developing our collective consciousness in understanding the racism we observed and experienced in the United Kingdom, we transformed our identity from Chinese international students detached from the country in which we were living to residents deeply engaging with local society. With this new identity, we quickly mobilised to take part in various forms of action. These actions constantly pushed us to discover the boundaries of our activism along with some limitations due to our outsider-within status. Our agency as Chinese diaspora activists manifested itself in our campaign, as we were constantly exploring the potential of our activism and the possibilities of building solidarity with other groups. As argued by Mengyang Zhao (2020), our activism might not be able to

change even a fraction of the whole picture, but these efforts provided viable ways for us to organise critical interventions in a divided world.

The whole campaign started with a workshop on racism, imperialism, and Chinese food culture at SOAS University of London on 2 February 2020. Realising that we should take more action as soon as possible, we then decided to run a public protest in Trafalgar Square. For our feminist and queer members, the square had been a place to meet and to participate in London's annual Women's March and Pride Parade. By locating our public protest there, we embraced the political legacy of protesters in Britain and integrated our resistance into the social movement history of this country. However, we noticed that those participating in the public protests that we joined in Trafalgar Square were predominantly white. Therefore, our presence as an ethnic minority in this square had another political meaning: to challenge the pre-existing racial hierarchy of public protests in Britain.

To prepare for this protest, we established a working committee with 14 members. However, we immediately experienced some challenges. Specifically, although we had limited media resources for public exposure, we had to decline the interview requests coming from some journalists—especially those working for Chinese state-owned media agencies who are accustomed to serving conservative nationalism—as we were concerned our campaign would be portrayed as a patriotic action. As Chinese international students, our voices and actions had political meanings, and it was a challenge to ensure our campaign was neither reductively represented as a patriotic action nor subsumed by political agendas in the West. In a word, faced with a global media environment charged with increasingly conflicting political agendas, we had very limited channels through which to send an accurate and effective message to the public.

However, the preparation work for the protest was hindered not only by various practical challenges in the United Kingdom, but also by the depressing political news coming from what was then the centre of the COVID-19 crisis, China. Although we were physically detached

from our country of origin, our daily lives were entangled with the political realities there. On 6 February 2020, after hearing of the death of the whistle-blower Dr Li Wenliang, we experienced tremendous shock, sorrow, and anger. We could not accept the fact that such an innocent and noble person had lost his life after he had warned people around him about the coronavirus. Many of us suddenly felt that the antiracism campaign was no longer that important to us. The preparation work for our protest was halted due to this news, which none of us could process. We realised that our situation was complicated by the multiple locations with which we were connected, and the politics around these locations.

After a simple vigil at SOAS for Dr Li, we resumed our commitment to our antiracism campaign. Before the protest, we advertised our event on social media to attract more people. In short order, one established antiracism organisation expressed interest in supporting us. However, we were told by a British Chinese friend that this organisation was accustomed to using other organisations' campaigns to promote their own political agenda.

With this warning in mind, we dealt with this organisation with extra caution. Before the protest, we asked them not to bring their own pamphlets or materials when they joined in. They promised they would respect our organisation; however, on the day, when we saw them (mainly middle-aged men of various racial backgrounds) in Trafalgar Square, we immediately noticed that they had brought with them piles of pamphlets and several posters. Their agenda was to condemn racism by opposing the conservative government in Britain, whereas we felt this focus on party politics would not really address the institutional racism embedded in British society. We first tried to negotiate with them, telling them that if they still wanted to support our campaign they should put away their own campaign materials. We even suggested that if they wanted to promote their own agenda, they could keep their distance from us. Although they promised to respect our organisation, when we were busy giving out our leaflets and stickers, they immediately took out their own materials. We discussed this with them again but in vain.

In addition, we were worried about possible police intervention to stop our protest. Without any previous organising experience in the United Kingdom, we relied on information from the internet, which proved to be insufficient. We assumed we were allowed to demonstrate with our posters anywhere in the square, as long as the action remained peaceful. However, several minutes after we started, we were approached by two police officers. They told us that the area in which we were standing was not open to public protests. We were anxious and worried at that moment that we would be chased away or even fined. Luckily, they did not drive us away; instead, they directed us to an area that was open to protests.

These incidents made us realise that we were outsiders even within the ecosystem of antiracism organisations in the United Kingdom. The organisation that coopted our protest was actively involved in British politics and their agenda was to oppose Boris Johnson's administration. They were also better funded than us. Before the protest, we knew it would be difficult for us to build solidarity with other organisations, but we did not expect there would be a hierarchy among antiracism organisations that would leave us in a marginalised and vulnerable position during our protest. In short, the presence of the other group not only made us feel uncomfortable, but also brought obstacles to our protest.

As Guobin Yang (2000: 398) highlights, 'contemporary social movements in Western democracies are often indistinguishable from institutional politics—they can be routinized and bureaucratized to the extent of becoming part and parcel of institutional politics'. As a grassroots organisation constituted mainly by Chinese international students, we were easily marginalised by these established organisations due to our immigrant status and ethnic minority background. As Zhao (2020) points out, the majority of social movements do not cherish or recognise the knowledge of the diaspora, nor do they show genuine support for them. Our experience of being marginalised in the antiracism movement problematises the hierarchical organisation of social movements in the United Kingdom.

Chinese4BlackLives

At the beginning of our anti-Sinophobia activism in February, we received some criticism on our social media account, such as: 'Chinese are racist. Why are you doing activism against racism in the UK? Go back to your country!' These attacks leveraged racial inequalities in China to delegitimise our antiracism campaign. Although we were hurt by the racist context in which we were operating, we realised that we were also ignorant regarding racial relations in China and had limited understandings of black communities' experiences. Two months later, some black immigrants in Guangzhou were forced to leave their accommodation by the local police and some landlords under rigid COVID-19-related security regulations and, without other alternatives being provided, ended up living under bridges (March et al. 2020). This revealed the difficult situation of black people in China. When the news was released on *CNN*, many in the Chinese diaspora started to mobilise and contacted activist friends of ours in Guangzhou to understand the situation of African people there. Our actions ranged from translating Chinese Government documents to ordering food for displaced African people in Guangzhou and advocating for the local government to protect their rights. The local government soon acknowledged the brutal ways in which African people were treated, and the Chinese Government then put much diplomatic effort into smoothing Sino-African relationships.

A month later, following the death of George Floyd, the BLM movement was revived first in the United States and then spread around the world. Based on our anti-Sinophobia activism, we felt an urgency to respond to this worldwide resurgence of BLM. Consequently, we initiated Chinese4blacklives. Due to the pandemic restrictions, most of our activities took place online, including workshops and discussions. In one of these activities, we asked our group members to draw pictures and posters to support the BLM movement. After we posted them on our social media, we were connected with another group of Chinese feminists, in North America, who were also organising campaigns for the BLM movement.

Beyond our social activism, we also came to realise that our group members needed to understand blackness from a more transnational and historical perspective—two aspects that were absent from our lived experiences and the education we had received. Due to our limited knowledge about anti-black racism, we decided to start with self-education in the Chinese student community. In our discussions, we talked about our confusion and the limitations in understanding black communities' lived experiences and their struggles in society; it was clear that taking action without learning and understanding first was very imprudent. Even worse, it might even end up reproducing the very inequalities we were aiming to challenge.

We held four workshops on transnational blackness—on political blackness in the United Kingdom, histories of black people in China, African people in Guangzhou, and Trevor Noah's politics on race in South Africa. We invited young Chinese scholars from the United States and United Kingdom, as well as activists in Guangzhou and England. Significantly, we had the chance to talk with Jasmine, an African-American woman who works as an English teacher in Guangzhou.

Nevertheless, despite the fact the boundaries and scope of our activism continued to expand, there were still limitations on our support for BLM. Even though we had started to involve ourselves in British political movements, we could not overcome our immigrant status and health concerns. For this reason, beyond the self-education activities exclusive to our own members online, we did not organise any group gatherings to join any public BLM protests in the United Kingdom. As news reports describing the police brutality against protesters in the United States multiplied, several members of our group went individually to public protests in London and other places in the United Kingdom, but few of us felt safe enough to mobilise our Chinese student community to go to these huge events as a collective. This had a direct impact on the level of transformative power in our anti-racism campaign. For this reason, we could not completely commit ourselves to building alliances with BLM in public gatherings. This limitation not only restricted our support network, but also

diminished the sustainability of our movement. As BLM and Sinophobia received less and less interest from the mainstream media, the momentum of our antiracism campaigns gradually reduced. However, we carry on our feminist organising at VaChina, but with a reflexive intersectional perspective on race, gender, and class.

Embracing Tensions and Anomalies

To conclude, our experience as young Chinese feminist students involved in antiracism campaigns revealed the structural oppression we received as the outsider within in British society as a whole. Before the pandemic, with the awareness of being on the margins, few Chinese international students had the motivation to work to change their peripheral position. By organising antiracism activism during the pandemic, we were increasingly entangled with British society by directly addressing the issue of the racial inequalities we experienced as part of the Chinese diaspora. Furthermore, by participating in the BLM movement, we became involved in the political struggles of other racial minorities against racism in a global context. The outbreak of COVID-19 provided us with a political opportunity to mobilise, to imagine possibilities, and to make changes. As Collins (1986) notes, outsider-within status is bound to generate tensions. As outsiders within, once we have seen the existing structures of oppression, it is necessary for us to embrace the tensions and anomalies, and identify future meaningful action from here. ■



Labour Relations, Depersonalisation, and the Making of Class Identity in a Chinese Rural County

Workers in the early morning meeting.
PC: (CC) ILO Asia-Pacific.

Camille BOULLENOIS

In rural China, a generation born and raised in shared conditions of poverty and farm labour has differentiated into bosses and workers as private enterprise re-emerged after the 1980s. In the following decades, relations between bosses and workers have become increasingly distant and impersonal, with stricter monitoring and control of the labour process. This has contributed to crystallising the roles of ‘boss’ and ‘worker’ as distinct identities, supplanting the feelings of commonality and homogeneity among villagers.

In rural China, a generation born and raised in shared conditions of poverty and farm labour has differentiated into bosses and workers as private enterprise re-emerged after the 1980s. In Xishan (a pseudonym), a rural county in inland China, at the border between Shandong and Henan, industrialisation was, at first, essentially driven by petty entrepreneurs from outside the county. As these early entrepreneurs’ business ventures grew bigger, and they started to employ the people around them, social differentiation emerged within local society.

Against this backdrop of social differentiation between employers and employees, this essay describes how villagers from a common background have negotiated their identities as bosses and workers over the past decades. To study this question, I rely on interviews conducted with business owners and workers in Xishan County over nine months between 2016 and 2019. I also draw on firsthand, in-depth participant observation, gained by being employed for two weeks as a worker in a car-parts factory in Wuchang (a pseudonym) in the county. I was assigned to put pieces into a machine and then take them out after they had been curved—repetitive, dirty, loud and tiring work. Every day, I took my lunch with the workers and dinner with the boss's family.

Based on observations from that fieldwork, I argue that in the past decade, both private company owners and workers have striven to bring about a shift from a paternalistic relationship, where bosses employed their relatives and neighbours, to more distant and impersonal work relationships. This shift has allowed a second change—from loose and flexible supervision of workers towards stricter monitoring and control of the labour process. Both processes have contributed to the emergence of distinct identities as 'bosses' and 'workers', which has supplanted the feelings of commonality and homogeneity among villagers.

From Local and Family-Based Paternalism ...

In the early stages of developing their enterprises, usually as workshops in their home village, first-generation business owners relied on a labour force drawn from their family, relatives and neighbours. That history of entrepreneurship entailed a high level of psychological and emotional proximity between employers and employees. For the generation born before 1980, intimate relationships between bosses and workers were made easier by the fact they were often raised in similar socioeconomic environments. As a result, the business owners' relationships with their fellow villagers were characterised by strong commonality and

emotional bonds. As a village workshop owner explained: 'It's an employment relationship, but some of the workers are friends. Well, we cannot really say they are friends; they are from the village, they are from the same lineage.'

The family-like relationship between business owners and workers—still prominent today among small businesses—was further strengthened by the gendered organisation of labour. While bosses were most often male, most workers were (and are) middle-aged women whose husbands have left the county to find better-paid jobs. This dual role of local female factory workers as both mothers (or grandmothers) and workers has long prevented bosses from enforcing too strict a discipline. Working hours were flexible and could be changed depending on the women's need to take care of their children and visit relatives. Labour flexibility also resulted from the habits of local workers, most of whom came from rural backgrounds and were used to farming. As an interviewee explained: 'For people who are used to farming the land, it is very hard to make them turn to a very standardised way of working. They need some time.'

While the flexibility in working hours benefits female workers, the family-like relationship also helps create moral ties that encourage employees to be loyal and obedient. One small entrepreneur, in particular, gave me a vivid account of how he disciplined his workforce in this way. He boasted about how he forced his employees to stay in his factory instead of leaving for better opportunities or even opening their own business. 'My employees? I control them like that!' he said, clenching his fist to illustrate how powerless his workers were in this situation. He then gave me several examples of how his generosity has compelled employees to be loyal to him—for instance:

Today, I knew one of my employees had problems at home and did not have any money. I said, 'I have money.' I gave him my credit card to pay for his children's health care. Just a gesture like that, and the employee will work for you all his life ... It is different from big enterprises. Here, there is a sense of trust.

In that sense, the labour organisation observed in Xishan County's small rural businesses fits Mary Jackman's (1994) description of paternalistic labour arrangements in which the dominant group's concern for the wellbeing of the subordinate serves to preserve the exploitation of the latter by the former.

... To the Emergence of Impersonal Labour Relationships

In the past decade, however, this started to change, especially among bigger local businesses. Due to lack of space, the original car-parts workshops transferred to bigger factories outside the village or in the township or county seat, and entrepreneurs started hiring workers from surrounding villages. As companies grew, business owners started employing workers from nearby villages rather than their own. One reason for this evolution is that when business owners employ relatives or neighbours, they cannot refuse to help them start their own companies, which then increases local competition. A second reason for this development is that, even though close relationships allow business owners to control their workers and enforce discipline, they also create reciprocal obligations and make it harder to refuse workers' requests. As one business owner explained: 'Now, we don't have workers from our own village ... because it is not good to hire your own people to work with you. It is always very complicated [to deal professionally with people you know well]. By recruiting from villages further from their own, business owners widened the distance between themselves and their employees. This created a relationship that was more professional and less personal, thus providing the emergence of an identity that was based not on shared communal ties, but on professional boundaries.'

In parallel to business owners separating their private and professional lives, a shift in attitudes towards work has also led workers to move towards less emotional proximity with their bosses. Owning

a business, for a majority of my second-generation interviewees, is seen as a particularly enviable position. They strongly associate upward mobility and high social position with business undertakings and risk-taking. Young men, especially, consider entrepreneurship an ideal occupation and lifestyle. 'Young people are eager to become entrepreneurs, if they have a choice,' a young employee explained.

The prominence of this 'self-made entrepreneur narrative', and the relatively privileged position of young workers in the local labour market, thus shapes their attitudes towards work and prompts them to prefer flexible work arrangements. Young workers also strive to depersonalise their relationships with their employer to become more autonomous. For example, a young worker told me she would not invite her boss to her children's wedding, and the boss would not invite her to his children's wedding either. 'If you do that, you create social obligations that interfere with your employment relationship. You would feel obliged, for example, to return favours, and to work more. It would be a bad thing for both bosses and workers,' she explained. Similarly, the prominence of this 'self-made man narrative' likely affected young workers' attitudes towards piece-rate work. In the factory where I worked, both types of remuneration (daily or piece-rate) coexisted, and they often coincided with different generations. While young, fast-working women told me they preferred piece rates because they could earn more, older workers usually preferred a day salary, which allowed them to work more slowly and be more relaxed in the factory.

The labour flexibility characterised by an ethos of individual competitiveness and the absence of paternalistic relations between bosses and workers have been, therefore, not only well accepted by the younger workers, but also, to a large extent, driven and encouraged by them. To a certain extent, the shortage of a skilled, young labour force gives them an advantage in negotiating labour rules and organisation. They express this advantage by 'voting with their feet' and frequently changing jobs and companies—a practice company owners see as a liability. Compared with older workers, younger workers were considered by local business owners to be more likely to change companies, as

a combined result of a favourable labour market and a shifting work culture. As an interviewee explained: ‘The younger workers are much more mobile. They stay here one year, and then they go somewhere else.’

Hiring a Professional Manager to Impose Impersonal Discipline

Faced with this uncertainty, business owners organise themselves to counter the adverse consequences on their business of workers’ flexibility. A solution they commonly adopt, for example, is to limit the mobility of their labour force by exchanging information and collaborating with other local business owners. ‘They all know each other and exchange this kind of information [on us],’ one worker explained. This puts new workers in a weak position and enables the bosses to negotiate lower salaries.

In recent years, another strategy to depersonalise labour relationships to the employers’ profit has emerged among the bigger local business owners. To make their relationship with their workers as systematic and impersonal as possible, while maintaining control over the hiring process, they have started recruiting professional managers. According to boss interviewees, the presence of a specialised manager prevents ‘complicated feelings’ from interfering with employment relationships. In addition, most of the professional managers are not local and often come from other provinces, which makes it harder for them to establish ties with workers that go beyond professional bonds or to create their own business locally, which limits potential new competitors.

Hiring a professional manager to systematise the relationship between employers and employees also enables business owners to create much stricter discipline and to enforce this in a more systematic manner. A business owner explained: ‘I have an office director. He has a written guideline, and it must be systematic, to manage people well. You have to follow the system.’

Much of this new attempt at stricter discipline derived from study sessions organised by the local government. A local entrepreneur told me, for example: ‘The government organises study sessions for us. We learn new management techniques that we had not thought of, or that we were [previously] not able to implement.’ Entrepreneurs also learnt from enterprises they considered to be more advanced elsewhere in the country, especially in coastal southern China, with whom they regularly organise exchanges and study sessions. As one business owner explained: ‘We learnt about [these new management techniques] in south China, because the south is more advanced.’

Making labour control more systematic reinforces the impersonal nature of the employer/employee relationship. It also emphasises the distinct nature of the roles of business owners, managers, and workers—a shift that includes a moral component, as business owners claim to transform peasants into modern, disciplined workers. Following influences from southern China, thoughts about modernity go hand in hand with the encouragement of an increasingly strict disciplinary regime in Xishan County’s factories. One entrepreneur, for example, told me that workers in Xishan County, unlike workers in southern provinces, were difficult to work with because they were ‘backwards’ (落后) and not disciplined. In Wuchang factory, the boss often talked of his attempts to enforce stronger discipline and to train workers who otherwise would be left to their lazy habits.

Clumsy Attempts at Re-creating a Patriarchal Relationship

But systematic labour control, encouraged by state-sponsored training and by entrepreneurs from southern provinces, is not well accepted by workers, who resist it through foot-dragging or by quitting their job. Several workers told me they would not hesitate to quit their job if discipline was to become too harsh and not allow them some

flexibility to take care of their family. This is why, along with depersonalising and systematising their relationships to their workers, big local business owners also try to re-create a paternalistic relationship, in more subtle and more controllable ways than they did when they started their business. For example, they organise lunches and trips together with their workers, provide rewards for good work, and give inspirational speeches.

One anecdote observed at Wuchang factory particularly illustrates this process. About two weeks after the spring festival, the boss and his wife invited all the workers for lunch in a rather upscale restaurant nearby. All female employees (amounting to about 90 per cent of the company's workforce) sat at one table, while the few male employees sat at the boss's table. The boss's wife sat at the men's table, but on numerous occasions she came to chat with the women workers.

Before anybody started eating, the boss stood and made a speech, in which he blamed the employees for lacking discipline. His first concern was that workers should not look at their mobile phones during working hours. Second, if employees stayed at the factory for lunch, they should take a shorter lunch break. Third, from now on, he explained, workers could not arrive late to work. The factory gates would close at 7.30 am and those who arrived late would have to apologise and ask for permission to enter. As a conclusion, the boss exhorted workers: 'Stop being lazy! Work more to earn more and give me a good reason to hire you.' Next, the professional manager also stood and gave a speech. He insisted that workers should always leave their machines clean at the end of the day. Last, the boss's wife took the floor, wishing everyone a happy Women's Day and encouraging women to toast and drink together.

This anecdote illustrates the attempts to enforce strict discipline within the factory. The insistence on cleanliness and punctuality is symbolic of the transformation business owners expect from local workers. The opposition in the language used to talk about workers ('lazy', 'dirty', 'unwilling to work hard') and bosses ('clean', 'well-intentioned', 'hardworking') reveals the distancing process at work, even as the speech's intended purpose was to re-create proximity between them. The infantil-

ising discourse about workers—which is intended to turn them into better, modern, and 'disciplined' labourers—emphasises the distance between them and their employer, and shapes the social identities of both groups.

The speech also revealed the clumsiness and ineffectualness of the boss's attempt at re-creating a friendly relationship within the factory. The fact that bosses and workers were not sitting at the same table and that only one side got to publicly express their opinions effectively divided the company into two groups—'bosses' and 'workers'—and widened the distance between them. The female workers, in this process, silently resisted the introduction of disciplinary measures to control their work. By ignoring or mocking the speeches, they took back the initiative of creating a distance between themselves and the bosses. This dual distinction process, reflected and enacted on both sides, contributed to the formation of distinct social identities for everyone in the factory, including the boss and the workers, and those positioned between the two groups.

Growing Impersonality and Diverging Identities

The trend in labour relationships over the past few years has been one of declining proximity and increasing formality. Despite the cultural commonality between workers and bosses who were born and raised in similar backgrounds, both have consciously lowered the emotional and organisational proximity between one another. Several factors brought about such a shift: the growing size of local businesses, changing attitudes towards labour and entrepreneurship, but also interpersonal networks, and the exchange of information between local business owners and the local government, as well as their peers in southern China.

Despite this general trend, there is still considerable local diversity in terms of interpersonal proximity and the emotional bonds between bosses and workers. Larger entrepreneurs, more connected to their southern counterparts, paved the way

to intentional distancing and depersonalisation of labour relationships, while smaller entrepreneurs, more closely attached to their villages and more emotionally tied to their workers, had very different ideas of themselves and of their position in the local community.

Through the intentional distancing and depersonalisation of labour relationships, the distance between employers and employees from similar farming backgrounds has widened and two social identities, that of the worker and that of the boss, have emerged over the past decade. ■



Trump&Clidas. PC:
Tommaso Facchin, (original
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An Anatomy of Trump's Appeal to Chinese Liberals

A Conversation with Teng Biao

Ling Li
TENG Biao

Since coming to power, former US President Donald Trump has attracted and maintained a remarkable following among the Chinese diaspora in and outside the United States. These Trump followers come from different backgrounds and their support has a variety of motivations, which is nothing unusual. What is out of the ordinary, though, is the popularity of Trump among one particular group: the so-called Chinese liberal/prodemocracy intellectuals, dissidents, and activists (hereinafter 'Clidas', as termed by Teng Biao). Members of this cohort include some of the most celebrated Chinese liberal academics and political thinkers, political activists, and human-rights lawyers. The embrace of Trumpism by

the Clidas is most unusual and noteworthy because of the glaring incongruity between the illiberal policies and ideology that Trump represents and the liberal ideals these individuals have advocated through their intellectual output and/or political activism.

In this conversation with Teng Biao, I try to understand: What are the common denominators that have created an affinity between this group and the Trump administration? In other words, what are the specific qualities of Trump's leadership that resonated so strongly with his Chinese supporters? The answers to these questions are important and remain relevant despite the end of Trump's presidency, which will undoubtedly dampen the enthusiasm of his supporters to various extents across the board.

As this conversation will reveal, the prevalence of reductionist thinking, the popular appeal of political Machiavellianism, and the cultivated belief in social Darwinism—the combination of which has created an irresistible lure for Trumpism—are deeply rooted in the psyche, for the lack of a better word, of the pro-Trump Clidas. Admittedly, the political profile of this group certainly does not represent the political attitudes of every Chinese liberal intellectual, political dissident, or human-rights lawyer, let alone those of all 1.4 billion Chinese nationals. However, it does provide a glimpse into the nature of the social chasms and debates that could emerge if free elections were to take place in China. In this imagined scenario, the same cocktail of ingredients that has created a feverish following for Trump today would remain prevalent in China for the foreseeable future. And it would not be entirely unexpected if, when one day free elections become a political reality in China, the leader chosen by the Chinese people may not be a cool-headed liberal-minded political sage as many China observers in the West expect, but a Trump-like, homegrown Chinese populist.

The phenomenon of Trump's popularity among the Clidas has been covered in both news media and academic circles. The former includes Ian Johnson's 2020 op-ed 'Why Do Chinese Liberals Embrace American Conservatives?' in *The New York Times*. The latter includes Lin Yao's (2021) 'Beaconism and the Trumpian Metamorphosis of Chinese Liberal Intellectuals', the most thorough and incisive academic analysis of the topic by far. This topic has also been covered on other media platforms—for instance, in an episode of the popular *Sinica Podcast* (2021), featuring both Johnson and Lin.

Also related to our conversation is the topic of the 'white left', or *baizuo* (白左), which is an ideological caricature of Western progressive liberalism. For a more comprehensive treatment of this topic, one should read Zhang Chenchen's 'The Curious Rise of the "White Left" as a Chinese Internet Insult' (2017) and 'Right-Wing Populism with Chinese Characteristics? Identity, Otherness and Global Imaginaries in Debating World Politics Online' (2019).

The conversation below is the product of a series of recent exchanges I had with Teng Biao. I chose Teng as my interlocutor not because he is one of a handful anti-Trump Clidas, but rather because he is both a political activist and a liberal academic—two circles that overlap only marginally. He spent years in China championing the movement to promote human rights through legal representation in both classrooms and courtrooms and shared many of the experiences that have become the motivational basis for those who embrace Trumpism. Prior to our conversation, Teng wrote a long-form essay in Chinese titled ‘Why Should Pro-Democracy People Oppose Trump?’ (2020), which addresses some of the questions below in more detail.

Ling Li: In your analysis, misinformation is an important contributing factor to the popularity of Trump among the Clidas. What do you think the Clidas have been misinformed about? What are the sources of such misinformation?

Teng Biao: Most Clidas rely on Chinese media, including WeChat, which is censored and teeming with conspiracy theories, as the primary, if not the only, source of information on US politics. They don’t read English sources or aren’t able to.

LL: Yes, this is certainly true for a great number of Trump supporters but not all of them. I have come across some prodemocracy intellectuals or activists who are proficient in English and have easy access to alternative sources of information, which have apparently not led them to reflect critically on Trumpism. Confirmation bias must have played an important role here, leading people to seek only information that confirms their preexisting opinions. In many cases, such biases can then be reinforced by the ‘backfire effect’ or ‘belief perseverance’, where one’s conviction to a misperception becomes even stronger when contradicting facts are presented.

TB: Yes, but then we get ourselves into a chicken and egg problem. Confirmation bias does not grow out of a vacuum. What has led to the formation of the original opinion that these people seek to confirm?

LL: Okay, you are asking what has caused the one-sided understanding of Western political thoughts among the Clidas. Specifically, why is it the case that the impact of progressive liberalism is limited in China? Is it because Chinese intellectuals are less exposed to progressive liberal ideas or because they are less receptive to such ideas?

TB: Western political thoughts were introduced to China mostly through translated works in the 1980s and 1990s. The decisions on what books could be translated and published were determined partially by the political orientation of the authors and partially by the editors and publishers, who were subject to political censorship. The intellectual landscape at that time was disproportionately influenced by Western neoclassical economic thoughts—in particular, the

Austrian and Chicago schools, represented in the works of Ludwig von Mises, Friedrich Hayek, and Milton Friedman, just to name a few, and economic policies championed by Reaganism and Thatcherism. Subsequently, these neoliberal economic thoughts started to spill over and influence other disciplinary spheres, including law. Progressive liberalism has enjoyed very little exposure in China.

LL: If this is the case, it seems that when Western political thoughts were introduced to China in the 1980s, they were limited to economic thoughts and excluded all other topics—for instance, political rights, rights to physical integrity, individual liberty, procedural fairness, etc. This selectivity of Chinese intellectuals' exposure from early on might have produced a special affinity for them towards political conservatism, rendering Trumpism particularly attractive. This makes sense. However, many people are able to modify their opinions and avoid the 'backfire effect' when they are challenged by new, contradictory information. The pro-Trump Clidas seem to exhibit a conspicuously high level of conviction in their beliefs. Why is this group more susceptible to confirmation bias than others?

TB: I can think of two reasons. First, for many pro-Trump Clidas, the exposure to Western conservative political thoughts took place when they were in their twenties or thirties. This acquired knowledge has left them with a stable impression and strong opinions about what democracy is and how it is supposed to work, which cannot be shifted easily. Second, the Clidas have generally assumed an anti-Chinese Communist Party (CCP) political position, which is informed by their experience living in China and by bearing witness or being subjected to various forms of repression. It does not require much analytical skill, academic knowledge, or training to assume such a political position. However, to overcome one's confirmation bias requires conscious and disciplined self-questioning and self-correction, which are qualities that many Clidas do not necessarily possess.

LL: Is the pro-Trump Clidas understanding about current political affairs in the West, in particular in the United States, also one-sided or distorted?

TB: As for current political affairs, Chinese-language media focus on the 'dark sides' or flaws of Western society. However, such negative reporting only has limited influence upon many Clidas, who have always been sceptical of Chinese state propaganda. If the state propaganda says the cat is black, then they would believe that the cat must be white. Therefore, in this sense, the allure of the 'beacon' of Western democracy, to use Lin Yao's term, has not been tarnished by the negative reporting of the state media.

LL: Yes, it may explain the conviction to 'beaconism' by those who live in China and have never had any firsthand experience of living in the West. But how to explain the attitude of those overseas Clidas who enjoy access to pretty much as much information as they wish?

TB: It is due to a stereotypical or indoctrinated understanding of democracy. Once a conviction is established, one is likely to ignore all other contradicting evidence. For instance, an important reason that many Clidas support Trump's policies on racial issues is because they either are ignorant about the slavery and racism practised in early American history or have reinterpreted these realities to fit their preconceived opinions. For example, many of the Clidas believe that racism in the United States occurs only in sporadic instances and is not a systemic problem because there are various democratic institutions in place to counter these issues. Many Clidas are unaware of the scale and pervasiveness of racial injustice throughout the history of US politics. In addition, a lot of overseas Clidas live in Chinese enclaves in their host countries and have very limited interactions with other minority groups—a situation that has only sustained their prejudices and biases.

LL: Let's talk about social Darwinism, which seems to be another factor that has amplified support for Trump among the Clidas. What does social Darwinism mean? How is it related to the Clidas and their support for Trump?

TB: Those who subscribe to social Darwinism hold the view that successful people can succeed because they are better or more fit than others, from which it follows that unsuccessful and poor people cannot succeed because they are unfit. Social Darwinism attributes success to individual dispositions and qualities, such as aptitude, industriousness, and diligence, while dismissing structural factors. For instance, many Chinese human-rights lawyers and political activists come from humble family backgrounds. They tend to attribute their achievements to their individual dispositional qualities and to overlook the structural situation. At the same time, they hold others to the same standard and believe that, for instance, the low levels of upward mobility for disadvantaged minority groups in the United States are because these groups have a bad work ethic or inaptitude, for which they should shoulder the blame.

LL: This sounds like victim blaming, which attributes a wrongdoing to the victim rather than the perpetrator. Some psychologists have found that victim blaming is driven by the just-world hypothesis, which is a cognitive bias producing the belief that people's own actions are inclined to bring fair and just consequences to them. By blaming the victims, one can preserve a sense that the world is just and hence more comfortable to live in: the victims deserve what is done to them because of what they have done or what they are. From this logic it also follows that unfair and unjust things would never happen to someone if he or she does not engage in any improper conduct to trigger them. But I am not sure whether this explanation applies to all of the Clidas since their espousal of social Darwinism seems to contradict the nature of the activism of at least one group of them, the human-rights lawyers, who have made it their mission and exposed themselves to great risks to defend, instead of blaming, the disadvantaged members of Chinese society.

How to explain the coexistence of their commitment to defend the rights of the disadvantaged or 'unfit' population in China on the one hand, and their objection to the equal rights claims of the 'unfit' population in Western countries on the other?

TB: This is due to the qualitative difference between the issues of injustice in China and in the West. In China, the bulk of work for human-rights activists concerns violations of basic rights and freedoms—for instance, the restrictions and discriminations imposed upon people by the household registration system—a practice that does not even exist in Western countries. Other types of standard human-rights work in China involve intervention, prohibition, and punishment for the exercise—within the authorised space of Chinese law—of the rights to election, association, speech, and religion, none of which is a major problem of injustice in the United States. Therefore, a lot of pro-Trump Clidas share little sympathy or empathy towards, for instance, the Black Lives Matter (BLM) movement. Guided by their belief in social Darwinism and free-market fundamentalism, they believe that minority groups in the West end up at the bottom of the social ladder simply because they are outperformed by others. And for this reason, most of them have strong objections against progressive social policies such as affirmative action, progressive taxation, and the guarantee of a minimum wage.

LL: Now, I would like to go back to the issue of racism that you touched upon earlier when we talked about misinformation. It seems that the blissful ignorance of racial injustice or a lack of sympathy towards African Americans is not a misperception held only by the Clidas, but a prejudice widely shared in the Chinese society. In recent years, reports of racial discrimination incidents in China have become more and more frequent. This phenomenon is difficult to understand because the Chinese, as an ethnic group, have also periodically suffered serious racial discrimination and injustice both inside and outside China. How come it is racism, instead of empathy and solidarity, that has become the prevailing sentiment shared by many Chinese towards other races of colour?

TB: Many Chinese believe in the existence of a racial order based on skin colour. This racial order puts whiteness at the top, followed by yellow and brown, with blackness at the bottom. The existence of this claim of discrimination appeared as early as the late Qing in the writings of prominent political thinkers, such as Kang Youwei, Liang Qichao, and Tang Caichang, who led the 1898 Reform Movement and represented the most progressive political thinking at the time. Such thoughts have had a strong impact on the world view of many Chinese people. According to this discriminatory chain, many Clidas believe that every ethnic group has an assigned position in the social structure and, if one group intends to move up from their assigned position, its members have to outcompete others, however unfair the rules of competition may be. If one intends to progress by overturning the rules of competition or changing the structure, then

it is transgression. Therefore, many Clidas have strong objections against the affirmative-action programs and the BLM movements because they think these groups are overreaching and transgressing.

LL: This cosmic racial order looks like an extension of the Confucian social order. Classic Confucianism advocates that every member of society is assigned a role in any given interpersonal relationship—for instance, husband–wife, mother–son, teacher–student, emperor–subject—in which powers and obligations are hierarchically distributed. If, according to Confucianism, everyone conforms to the behaviour related to his or her roles, then harmony will be achieved in the social order. The ‘racial discrimination chain’ that you just mentioned looks like an extension of the Confucian social order that is applied in an international dimension.

TB: Well, it is compatible with the world view in imperial China, which centred on Han Chinese and rendered all other races alien and inferior.

LL: That was so until the advent of the nineteenth century, when China was compelled to ‘upgrade’ the position of the ‘white race’. More interestingly, I also notice that there is a common behaviour pattern that underpins both social Darwinism and the perceived racial order. It begins with an initial structural inequality built into the social order, such as the one advocated by Confucianism, and then the inequality inherent in this social order is only reinforced by the collective adoption of a survival strategy that allows individuals to improve their welfare by acquiring more privileges over the less privileged to compensate for being exploited by those above them. This strategy is fundamentally different from the political project of reconstructing the social order based on the principle of equality, because the former does not seek to eradicate inequality, but only to substitute its victims. Such a strategic choice seems to be underpinned by something that I call the ‘downward retribution mechanism’, which is sometimes used to deal with injustice and inequality by its victims. It means that when someone is exploited by a powerful party, instead of defending themselves by challenging the moral and/or legal impropriety of the situation, they take action first to survive the exploitation with tolerance and endurance (忍) and then to seek retribution by exploiting another weaker party when possible. Setting aside the issue of the moral and legal justifiability of retribution as a principle, this downward orientation is totally distorted because you are seeking retribution not from the one who abuses you, but from someone whom you can abuse. In your explanation of the popularity of Trumpism among the Clidas, you also mentioned the role of evangelicalism. Could you please elaborate?

TB: In the minds of many Clidas, Christianity is the second ‘beacon’ of Western civilisation, the first being democracy. In this context, Christianity is also considered a cornerstone of the construction of the nation-state of the United States. It is no coincidence that a considerable number of Clidas have converted to Christianity, which helped them to fulfil their spiritual needs and to alleviate the anxiety caused by the challenges facing them in their political pursuits. And,

for a number of reasons, the Christian evangelical school, which is known for its political and social conservatism, seems to have had a much stronger influence upon Chinese activists than others.

LL: In your analysis, the Clidas also share a strong objection to socialism and leftism, which is another reason they prefer Trumpism. How do you explain this objection?

TB: Having witnessed and experienced all the suffering inflicted upon Chinese society in the name of socialism, the Clidas have an almost intuitive revulsion against leftism. And they have very limited knowledge of the types of social democracy practised in Europe. This combination leads to an instinctive dislike of and antagonism towards progressive social policies. The labelling of right-wing and left-wing politics is another problem.

LL: Do you mean the labelling of political positions based on the direction of one's occupied space in relation to a point of reference—for instance, the leftist and the rightist? I also find that this labelling practice is confusing at best and misleading at worst because, when the point of reference changes, the labelling will reverse—namely, what is considered as left in one context becomes right in another.

TB: Exactly. For instance, because the point of reference in China is the communist system, any policies resembling those in the capitalist system will be considered 'right' and any policies that advance communist agendas will be 'left'. Even though party ideology has changed significantly during the past four decades—in particular, shifting from demonising capitalism to embracing it—the labels remain the same. If you are supporting the Party, you are on the left and if you are against the Party, you are identified as being on the right. Clidas take great pride in being identified as on the 'right' simply because of their anti-party stance. They further apply their understanding of the left in the Chinese context to the left-wing politics of the West, which, in their minds, is not much different from advocacy of communism, including absolute distributive equality, mass movements, governmental intervention, class struggle, etc.

LL: Interestingly, such confusion about the meaning of socialism is not unique to the Clidas. According to a Gallup poll conducted in 2018, when asked to explain the meaning of socialism, 23 per cent of the American respondents related socialism to equality, which is the same percentage of people who were not able to provide an answer (Newport 2018). And 6 per cent of the surveyed Americans thought socialism means communism or some modified forms of communism, which is the same percentage who thought socialism means being social. You have also mentioned elsewhere that the attraction to a strongman as a political solution is also an important reason for the popularity of Trump among the Clidas. But a strongman connotes a form of authoritarian political leadership. Does it not clash with the nature of the Clidas's primary political goal, which is the democratisation of China?

TB: We have to look at it from a historical perspective. The US Government had for a long time adopted an engagement policy towards China and assumed that by inviting and integrating China into the international political and economic order, China would be assimilated into the Western world and democratise. This policy has failed and made many Clidas not only despondent but also cynical, as described very well by Perry Link in his recent essay ‘Seeing the CCP Clearly’ (2021). China has become economically stronger but without progress in terms of political freedom and liberalisation. Clidas attribute this failure to the lack of vision, political will, and shrewdness of the previous US presidents, who have been, in their eyes, blinded by the self-destructive equal rights ideals held by left-wing US politics.

LL: Yes, it is exactly against this backdrop that Trump took centre-stage. I have heard frequently from Chinese Trump supporters that his China policies are the most decisive and effective in containing China and that he is both the only one who is clever enough to identify the problem and the only one, they believe, who has the required determination and strategic wisdom to execute a counterstrategy. However, another issue that seems puzzling to me is why the Clidas, many of whom are fearless and heroic in character, would worship Trump as a strongman, when in fact he is the exact opposite of a hero, and is rather a character utilising power endowed to the highest public office of the most powerful country of the world in order to best serve his political interest. Isn't it paradoxical that the Clidas would worship someone like him?

TB: It is not difficult to understand. It is exactly because the Clidas, especially the human-rights lawyers and political activists, have experienced the kind of oppression and even persecution that they know how vulnerable they are and how insignificant the impact of their personal sacrifice is in China. Only the outcome determines who is right and who is wrong. A losing hero is nothing. They believe only a strongman can have a chance when dealing with another strongman.

LL: Yes, I assume it is indeed difficult to challenge an asymmetric power structure when all the resources are distributed asymmetrically against you. Two final questions to conclude our conversation: Why should we care about which political leader is popular among the Clidas? Why should their support for Trump be a matter of concern?

TB: First, for most Chinese Trump supporters, the most important and often the single reason for their support is that Trump is ‘tough’ on China. They are ignorant of or indifferent to the damage that Trump has done to US democratic institutions. What they care about is the ‘overthrow’ of the Party, which they expected Trump to deliver. This is ultimately counterproductive, however, as these attitudes and behaviours could easily cause the withdrawal of support by groups and individuals in the West who had been sympathetic and supportive to prodemocracy causes in China. Second, quite a

few of the Clidas are prominent public intellectuals and opinion leaders, who are expected to play a significant role in shaping the thoughts of prodemocracy followers. Their conservative Trumpian thoughts may harm the course of democratic transition in China. Third, quite a few pro-Trump Clidas have explicitly expressed support for the mob that sieged the US Capitol. They embraced the idea of proclaiming martial law and launching a *coup d'état* just to keep their favourite leader in power. Their blatant disregard for the value of constitutional democracy makes one wonder: if they were given the opportunities to establish a new political system in China, would it even be democratic? ■



The background is a stylized illustration. The top left shows a blue sky with white clouds and a red sun. Below this is a body of water with black and white ripples. The middle section is a large, solid yellow rectangle containing the title. The bottom left shows a black stroller with a white interior. The bottom right shows a person in a white shirt and black pants walking on a red path. The overall style is graphic and modern.

FOCUS

Then and Now

*Looking Back and Imagining the
Future of Chinese Civil Society*



Cultivate Aridity and Deprive Them of Air

Altering the Approach to Non-State-Approved Social Organisations

PC: @sbastienetteuh,
available on Flickr.com
(CC).

Holly SNAPE

Small, unregistered nongovernmental organisations (NGOs) have often been able to survive in China despite government regulations meant to achieve the contrary. This essay looks at how recent government policy attempts to change this long-established norm. New policy, combined with a crack-down campaign, has taken a different approach to that of the past, relying on a multi-departmental Chinese Communist Party and government effort combined with cooperation from social and market entities to eliminate all remaining space for such NGOs to exist.

If the organisations and individuals involved in the Six Must Nots consciously resist illegal social organisations, illegal social organisations are sure to gradually die off through a lack of oxygen.

— Ministry of Civil Affairs Comrade in Charge (2021)

‘Grey space’ and ‘tacit approval’ are concepts familiar to people working in or studying China’s organised civil society (Snape 2019). But a new policy, introduced in March 2021,

to ‘crack down on and rectify illegal social organisations’ attempts to wipe these concepts clean from our lexicon. This policy seeks to cultivate arid land in place of vibrant grey space by prevailing on the Chinese Communist Party (CCP), the state, and an array of other organisations to ‘cut off all sources of nourishment’ (MCA Comrade in Charge 2021) and ‘remove the breeding ground’ (MCA 2021e) for non-state-approved social organisations. The aim, as the policy puts it, is to ‘cleanse the social organisation ecological space’ (MCA 2021e).

A Norm of the Past: Space Despite ‘Illegality’

For decades after Mao Zedong’s death, in the 1980s and particularly the 1990s and 2000s, nongovernmental organisations (NGOs) of different hues—some with strong state backing, others without—burgeoned in a wide range of fields. The official position—captured in rounds of regulations and topped off by measures in 2000 (MCA 2000)—was that a ‘citizens’ organisation’ (民间组织) had to register or face the possibility of being ‘banned’. All but a handful of exempted groups—those with sufficient political backing to object to registering with the Ministry of Civil Affairs (MCA) (Chen 2013: 132)—needed the state’s permission to exist. This was not about supplemental rights like eligibility to fundraise; it was about the right to be. To exist legally, an NGO had to register—and, to register under the notorious ‘dual management system’ (双重管理体制) (Wang 2010: 114) before it could even apply, it had to find an approved supervising agency in its line of work willing to accept responsibility for its activities. This was a hurdle that, for many, was too high, and unregistered organisations proliferated.

Yet, aside from erratic campaign-style crack-downs to ‘clear them up’ (Wu 2018: 200), on the state’s part, a mix of non-implementation and selective implementation was the norm. As Deng Guosheng (2010: 190) put it, the state’s policy was ‘no recognition, no banning, no intervention’. Small, independent NGOs, rural civic groups, and

internet-based organisations (Wu 2018: 195) were among those unable to register, but they found ways around the problems and precarity this created.

One common strategy was to become attached (挂靠) to a public institution (事业单位) like a university or a social organisation with legal status, which allowed them to demonstrate their legitimacy (Zhou 2010: 114). This sometimes gave access to resources such as office and meeting space and the social capital of the organisation under which they were nestled (Xu et al. 2012: 41). Another strategy was to register with a bureau of commerce but operate as a non-profit organisation (Simon 2013: 213); and a third was to remain unregistered. Some developed close ties with patrons in the local state, embedding themselves as a strategy not only to survive but also to exert influence (Hildebrandt 2013: E1784). They found important sources of legitimacy through ‘attachment to official departments, media reporting, appearances by officials, and endorsement from prominent personalities’ (Wang and Liu 2007: 129). These organisations could survive and operate but were only tacitly tolerated and always on the cusp of being called out for their ‘illegality’.

Studies in the 2000s found vast numbers of unregistered citizens’ organisations. Xie Haidong (2004: 20) found that in Shenzhen and parts of Anhui Province, registered organisations accounted for only 8–13 per cent of all citizens’ organisations. Xie also highlighted the disparities created through the conditions placed on eligibility. For ‘people in poor rural regions, migrant workers in cities, and laid-off urban labourers, regulatory stipulations on minimum required funds stripped the vast majority of the right to establish a citizens’ organisation legally’ (Xie 2004: 27). Wang Shaoguang and He Jianyu (2004: 75) estimated there were upwards of eight million unregistered groups, and Yu Keping (2006: 120) gave a ‘conservative estimate’ of 2–2.7 million unregistered or registered with bureaus of commerce. More recently, Wu Yuzhang (2018: 195) reviewed such estimates and, with no up-to-date approximations to go by, concluded that the scale of unregistered organisations had ‘exceeded these numbers’.



PC: *Cishan Fa*, the new Charity Law passed in May 2016 (Canyu.org).

The Charity Law is Unveiled and, On Registration, Proves to be a Damp Squib

The Charity Law, which came into force in 2016, ‘needed to respond to the issue of the legality of grassroots organisations’ (Zheng 2016: 45). Zheng Gongcheng, Professor of Social Welfare at Renmin University, led an influential National Social Science Fund research project during the legislating process. His team submitted its recommendations—including 16 research reports—directly to the Charity Law’s drafting task force. In a book released as the law went into force, Zheng (2016: 45–46) wrote: ‘There was a large number of organisations that had not registered but that were engaging in charitable activities, and the expectation was that this legislation would address the issue of their legality.’

For years before the Charity Law’s promulgation, experiments were conducted around the country to test different versions of ‘direct registration’ in

fields given preferential treatment. The point was to resolve the legality issue by exempting organisations from the supervising agency requirement and thereby lower the bar to registration. These experiments applied to the public benefit and charity sector, industry associations and chambers of commerce, and science, technology, and community service organisations. But they benefited some over others, with industry associations faring well (Yu et al. 2014) while, for others, ‘reforms wavered, and in some sectors dual management seems to be further entrenched or even turning into triple management’ (Liu 2018: 38).

When it came to the Charity Law, as legal scholar Ma Jianyin (2019) points out, despite the ‘explicit aim during the legislating process’ of cementing in law the best practices derived from direct registration piloting, this was left unrealised. Pointing to Article 9, which sets out criteria that a charity must meet, Ma (2019) writes: ‘[T]here’s a clause that lets the cat out of the bag, reading: “other conditions stipulated by laws and administrative regulations.” In other words, it empowers the State Council to formulate administrative regulations that create additional conditions for registration.’

Today, be it for charities or social organisations working in other favoured categories, direct registration is not a given, but a matter for application to be vetted and granted on a case-by-case basis. A top-level guiding document released in tandem with the Charity Law going into force (General Office of the Central Committee and General Office of the State Council 2016a) created further hurdles to direct registration. The document states that ‘civil affairs departments, when reviewing applications for direct registration, shall ... as needed, solicit the opinions of relevant departments or organise experts to carry out evaluations’. When this plays out in practice, establishing eligibility is far from simple (Yang 2015; Ren et al. 2017) and, given discretion over whether to grant direct registration, those responsible sometimes err on the side of caution and reject applications (Interview 2021). For the would-be legal entities who slip at this hurdle and for the many others who never even get that far, the unattainable threshold remains very much intact (Liu 2016). Survival, for them, relies on the continued presence of ‘grey space’.

Targeting Space and Mobilising Widely to Cut off Oxygen

This brings us to a new policy, introduced in March 2021 and launched with a complementary campaign, against ‘illegal social organisations’ (ISOs, 非法社会组织). The campaign is ‘directed at those that have not registered’, including those ‘registered in Hong Kong, Macau, Taiwan, and other countries and regions’, which operate in the name of social organisations (MCA 2021a).

Two aspects that, working in concert, distinguish this approach from that of the past, are pivotal to its potential impact. Foremost, it targets not only organisations but also the space and conditions they need to survive. It seeks to erase every physical and virtual space, dislodge every affiliation, cut off every interaction, remove every source of social, political, and cultural capital, and hamstring every service on which an ISO might rely to survive

and operate. This transforms the elephantine task of thwarting every last unregistered organisation that pops up—an approach acknowledged to be impossible to implement, as ‘prairie fires can’t consume them completely, a spring breeze blows and again they rise [野火烧不尽, 春风吹又生]’ (MCA Comrade in Charge 2021)—into a clear-eyed, systematic, and comprehensive approach that targets their ecosystem. Second, it prevails on every organisation, individual, and mechanism available—Party, state, societal, and market—to implement and obey.

The new approach began with a notice and video conference on 20 March 2021. Notices (通知) are a type of official document used by higher-level agencies to communicate policy demands to lower-level counterparts for implementation. This one, titled ‘Notice on Removing the Breeding Ground for Illegal Social Organisations and Cleansing the Ecological Space of Social Organisations’—made available in English by *China Law Translate* (MCA 2021e)—was issued not by one or two government ministries, but by 22 ministries and CCP departments. The notice itself is imposing, complete with all 22 seals of those that signed off on it, beginning with the MCA seal’s state emblem and followed by the five hammer and sickles of the CCP’s Central Commission of Discipline Inspection, Organisation Department, Propaganda Department, Commission for Politics and Law, and Central Network Security and Informatisation Commission, as well as the seals of the other 16 ministries and bodies (MCA 2021b).

While not unheard of in Chinese policymaking, the sheer number of issuing bodies, the breadth of involvement, and the complementarity of the Party-State’s functions covered—state supervisory commissions and CCP discipline inspection and organisation departments, for example, can press for implementation—give the policy particular clout. Past campaigns were run by civil affairs and public security (see, for example, MCA and MPS 2018), leaving implementation reliant on limited resources and the willingness of other departments to cooperate. Now, across all 22 systems—education, science and technology, industry and information technology, public security, state security, justice, finance, housing, and urban—rural

development, foreign exchange, and more—orders have come directly from their respective national-level bodies. This creates a multidimensional, multisectoral, and mutually reinforcing Party and state-strong force for implementation.

The notice also makes demands of a broad range of social and market actors. It states penalties for noncompliance, for instance, not only for social organisations but also for their supervising agencies (this spreads the task of implementation even further, incentivising supervising agencies from across the Party-State to prod their supervisees into compliance). Its ‘Six Must Nots’ (六不得) form the basic skeleton of the policy, each directed at a different group of Party, state, social, and market entities:

1. Enterprises, public institutions, and social organisations must not have any connections to ISOs.
2. Party member cadres must not participate in ISO activities.
3. News media must not publicise or report on ISO activities.
4. Public service facilities and venues must not provide convenience for ISOs.
5. Internet companies must not provide convenience for ISOs’ online activities.
6. Financial institutions must not provide convenience for ISO activities.

Alongside the breadth of entities and individuals involved in implementation, note the target: not organisations per se, but the space and sustenance they need to survive. Past campaigns typically focused narrowly on organisations themselves. This meant that, during implementation, the targets were typically those committing fraud and other offences as opposed to ‘informally legitimate’ (Yu 2006: 112) but unregistered organisations. The focus of the new policy on space and sustenance means that, irrespective of Party-State intentions, it is likely to have a much deeper, wider, and more lasting effect. While those ‘cracked down on’ and paraded across the pages of official WeChat public accounts will be obvious to the outside observer, those who have their sources of sustenance cut may slip away silently.

Considered alongside the survival strategies of unregistered organisations, the mirror effect is striking. Take the first ‘Must Not’, for example: enterprises, public institutions, and social organisations must not ‘collude with or offer convenience for’ ISOs, ‘accept them as branches or affiliated organisations’, or ‘offer them use of their bank accounts or otherwise facilitate them’ (MCA 2021e). These align precisely with the strategies long resorted to by unregistered organisations. The policy directly calls out the practice of ‘ISOs seeking a cloak of legality as protection, thinking up ways to “attach under” legal organisations’ and of legal social organisations facilitating them. Compare ‘Must Not’ numbers one, two, and three with the channels through which unregistered organisations find legitimacy—such as attachment to others, media reporting, appearances by officials, and endorsement by personalities (Wang and Liu 2007: 129)—and through which they collaborate as agents of local state patrons (Hildebrandt 2013: E1728), and the pattern becomes even clearer.

A video conference on the day of the policy’s issuance brought together leaders from national Party and state agencies and provincial departments to put further meat on its bones (MCA 2021a). The conference and the notice should be read together to understand the new policy’s implications. Complete with a ‘mobilising speech’ from the Minister of Civil Affairs—a common ritual used to drum up support for a new task—the conference launched a 14-week (MCA Comrade in Charge 2021) campaign to begin the policy’s enforcement. The campaign adopts and enriches the policy’s blend of legal and political discourse, combining the language of ‘illegality’ (非法) and ‘rule of law’ (法治) with accusations of ISOs’ polluting effect (污染) (MCA 2021a, 2021b), and badness (邪气) (MCA 2021a). Unlike the policy itself, the campaign meeting readout explicitly states the target as unregistered organisations. It highlights five types of ISO, among which are ‘ISOs carrying out activities in collusion with ... legally registered social organisations’ (MCA 2021a).

In the days and weeks that followed, to relay specific instructions and prompt pledges of allegiance to the campaign, MCA leaders convened a series of meetings with big business associations

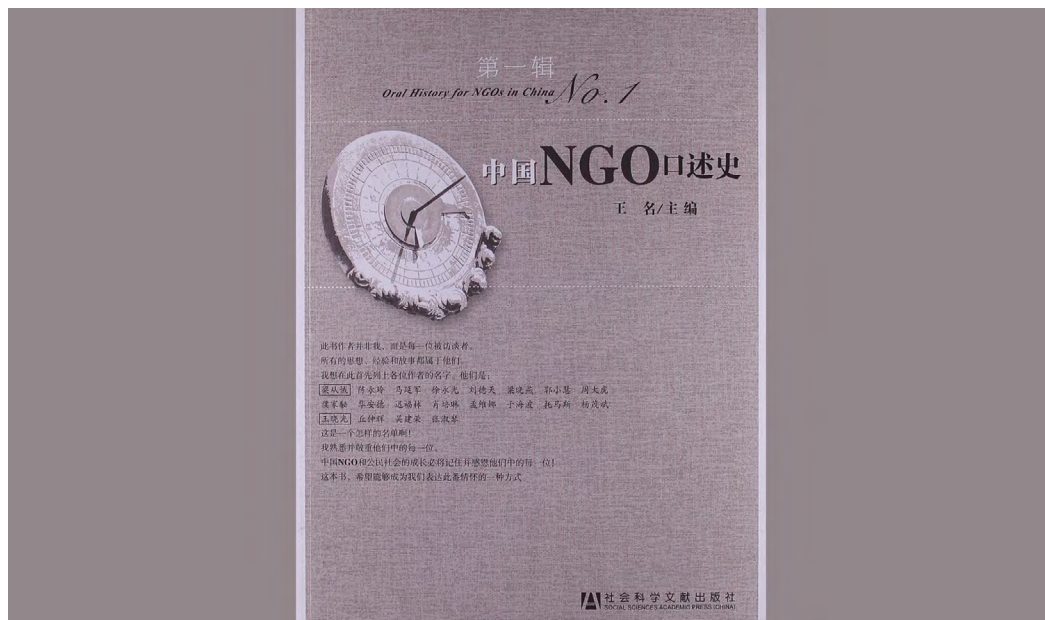
(MCA SMB 2021a), internet companies and platform providers (MCA 2021c), high-profile venue providers (MCA 2021b), social organisation supervisory agencies (MCA 2021d), and the MCA's own nationwide network of social organisation registration and management officials (MCA SMB 2021b). The MCA Social Organisation Management Bureau (MCA SMB 2021c) added its weight to the campaign with a detailed policy specifying penalties for national social organisations 'colluding' with ISOs. Authorities will, it warns, alter a social organisation's annual reports, cancel eligibility for preferential tax treatment, and—in what is essentially a 'one item veto rule' (Heberer and Trappel 2013: 1052) for those wanting to take on government service contracts—downgrade their evaluation-based rankings (overriding evaluators' judgements).

The call to reject, refuse to facilitate, and even turn in ISOs, and the promise of penalties for not doing so, could spell the beginning of the end of an important dynamic of contemporary China's civil society. Anthony Spires (2011: 12) once found that 'the state tolerates "illegal" grassroots social organisations 'as long as particular state agents can claim credit for any good work while avoiding blame for any problems'. Similarly, Timothy Hildebrandt (2013: E1889) found that in some fields and localities there is 'clear incentive for local governments to put aside concerns of registration status and work in coordination with unregistered social organisations'. But this would clearly contravene the new policy.

It is useful to understand this in the broader context of a top-down push in recent years to make Party and state leaders govern their respective fields according to 'rule of law thinking and methods'. The new ISO policy may well harness the incentives and disincentives that this push is developing. In late 2016, the general offices of the CCP Central Committee and the State Council (2016b) jointly issued rules laying the groundwork for creating a leaders' responsibility system for 'rule-of-law building' (which includes adherence to both state law and Party rules). The rules, which apply not only to heads of jurisdictions but also to functional department heads (General Office of the Central Committee and General Office of the State

Council 2016b: Art. 10), require the incorporation of rule-of-law-building into performance assessment indicators and the use of this information as grounds for deciding on promotions and demotions. In 2017, provincial-level authorities followed with detailed implementation measures and, while the system still has its weaknesses (Yi and Cao 2019), the trend is important to note. These rules are designed to compel Party and government leaders from the county level up to 'govern according to law', even when doing so conflicts with how they conceive of their capacity to deliver 'achievements' (政绩) (Jiang 2017). Civil affairs bureaus have already begun including ISO enforcement in their annual rule-of-law-building reports (see, for example, Beijing Civil Affairs Bureau 2021; Tianjin Civil Affairs Bureau 2020). This trend, driven by such changes to Party responsibility and incentive systems and state reporting systems, will likely alter the political opportunity structures for unregistered social organisations (Hildebrandt 2013), the potential for 'fragile and contingent' (Spires 2011: 12) relationships with 'local government officials ... ignor[ing] their illegality', the possibility that 'registration is not always in the best interests of local government officials' (Hildebrandt 2013: E1872), and the 'barriers to entry' that allow participation in policy processes due to 'fragmentation' (Mertha 2009: 1012).

For decades, the 'institutional space' delineated by the Party-State's regulatory framework has been much smaller than the 'actual space' in which citizens' organisations exist (Yu 2006: 119). The present campaign, and the policy it pursues, attempts to change this. While it may succeed in sucking away the oxygen for non-state-approved organisations, what will come when the 'spring breeze blows and again [something] rises' is yet to be seen. What is certain is that this new approach merits attention, as it promises to change the rules of the game for many at the margins of organised civil society. ■



Oral History of NGOs in China, Volume 1 [中国NGO口述史, 第一辑].

Pioneers and Possibilities

Reflecting on Chinese NGO Development through Oral History

WANG Weinan
Holly SNAPE

As the context in which Chinese nongovernmental organisations (NGOs) operate evolves, and the challenges they face change, revisiting the early days of post-Mao era NGO development (often dated to the early 1990s) can help us reflect on this change in comparative perspective. During my doctoral studies, I had the great luck to be based as a visiting student at Tsinghua University's NGO Research Centre, founded in 1998, which was among the first in China to focus on the development of Chinese civil society. It was there that I met Wang Weinan, who was working as a research assistant to the director. Scholars and students at the centre were devoting much energy to empirical research all over the country, seeking to understand and engage in the development of all kinds of NGOs. They were particularly busy with a project capturing the oral histories of NGO leaders, founders, and activ-

ists. These people included some of the earliest pioneers, such as Liang Congjie, grandson of Liang Qichao, who in 1993 co-founded Friends of Nature (自然之友), one of China's earliest environmental protection NGOs; Liu Detian, who in 1991 set up an association for the protection of the Saunders's gull (盘锦市黑嘴鸥保护协会); and Meng Weina, who in 1990 established the Huiling Service Centre for People with Learning Difficulties (慧玲智障人士服务机构). The painstaking work of collating these oral histories has enabled us to revisit that period in recent Chinese history and view today's NGO sector considering those histories. Weinan, who was involved in that project and the centre's other work, agreed to help me reflect on those histories in this short conversation.

Holly Snape: You started working at Tsinghua University's NGO Research Centre in 2008 as a research assistant to the director, Professor Wang Ming. How did you first become interested in NGOs and what brought you to the centre?

Wang Weinan: It was during my bachelor [degree], in the mid 2000s, that I first became aware of the existence of NGOs. I got involved in a few environmental student associations, which often cooperated with other types of NGOs and other student associations.

I studied law, and we were required to do an internship. I chose a pro bono law firm involved in legal aid cases being brought by young people and migrant workers. Working on that kind of case, I developed a sense of just how worthwhile NGOs could be.

I started working at Tsinghua's NGO Research Centre after I graduated. Professor Wang had been leading the 'Oral History of NGOs in China Project' [中国NGO口述史] since 2005 and was looking for an assistant. To start with, my work involved handling reams of interview transcripts that had already been collected. But because Professor Wang kept the project going, treating it as a core part of the centre's work, the interviews were ongoing, and I was able to join in many more of them after that.

HS: I remember when I started studying with Professor Wang, I was blown away by this incredible 2012 book, *Oral History of NGOs in China, Volume 1* [中国NGO口述史, 第一辑]—the first the centre produced under the Oral History Project. I was struck by the rich detail and insight from people like Liang Congjie, Meng Weina, and Yang Maobin on their experiences of founding NGOs at a time when that was something quite new. Can you explain a bit about the Oral History Project? What was the thinking behind it?

WW: The project was designed by Professor Wang and funded by the Ford Foundation. I cannot speak for him but, as I understand it, the idea was to capture the experience of some of the earliest NGO founders in the People's Republic of China, to learn from

their histories, and the histories of their individual NGOs, to study general patterns and better understand the development of Chinese civil society.

Partly, the project was born of Professor Wang's real desire to understand how China's NGOs were developing back then. He once told me that he felt a sense of responsibility and mission. Although oral history is an important research method—one that other types, like quantitative methods, cannot replace—it is also hugely work-intensive and not always instantly convertible into something recognised within an intensely competitive academic environment. It takes a lot to be able to initiate this kind of project. Professor Wang was already highly regarded in the sector and its study, so he was well placed to take this on.

By the start of the project in 2005, the NGO sector had already undergone at least a decade of development; while some NGOs were launched in the early 1990s, in 1995, China's hosting of the United Nations' Fourth World Conference on Women and the required parallel NGO Forum inspired and enabled a great amount of NGO establishment and activity. That development really merited capturing. But another important reason for doing this when he did was a sense of urgency: he knew there would come a point when NGO practitioners and researchers would want to learn about the experiences of those early pioneers, but that if their histories were not captured in time, it could be too late. Sadly, a few of these people passed away not long after they were interviewed for the project.

HS: Through your experience of dealing with all the original NGO oral history transcripts, and being involved in the interviews, did you get a sense of what motivated those early pioneers to establish NGOs? How did they understand what they were doing and what were their hopes at that time?

WW: In the beginning, I did not recognise the importance of the oral history method. I only gradually came to fully appreciate why Professor Wang chose it; this is a method that can privilege the perspectives of individuals in a way that other methods cannot.

One impression I had was the sheer range of different sectors and fields and the diversity of the types of organisation and backgrounds of their founders. For example, we often talk about 'grassroots' [草根] NGOs. This type accounted for a large number of the NGOs we covered. But there were others, too. Among the interviewees were leaders of foreign NGOs in China and members of the political elite who had had careers inside the Party-State but who wanted to achieve something that was not possible from within that system so had set up NGOs. Some had academic backgrounds, others political or commercial, but they were all doing something related to NGOs within the spaces they could find or hammer out.

HS: Right, I remember the first volume of the *Oral History of NGOs in China* includes this fascinating, quite candid piece by two women from the All-China Women's Federation, who had important roles in organising the parallel NGO Forum for the 1995 UN Fourth World Conference on Women—often regarded as a watershed moment for NGO development in China.

WW: The whole design of the project drew on Professor Wang's experience as a scholar embedded in the field. When choosing interviewees, he was drawing on this. The fact that all these people made themselves available and spoke candidly about their own histories was inseparable from Professor Wang's own accumulated experience and social capital. This helps to explain why the centre was able to capture what it did through this project: a glimpse of the incredible diversity and range—different types of organisations, people, aspirations, and ideals—and the extent of the vitality within China's burgeoning civil society at that time. It was a stark contrast with the 'philanthropic and charitable organisations' [公益慈善类组织] that the Party-State encourages and regards as legitimate 'social organisations' [社会组织] today.

For example, among our interviewees there were people from independent think tanks, NGOs with religious backgrounds, foundations, foreign organisations, and people who had worked in international organisations. Then there were those with other backgrounds, like a business association that started life as a government department but transformed into an association. The Oral History Project provided a glimpse into the hugely diverse, pluralistic patchwork of Chinese civil society developing at that time.

Aside from the diversity and plurality, I do think these people—first-generation NGO founders and pioneers—had something in common. I do not know whether this is something exclusive to this group, but through the course of these interviews it became clear that all these people had a sense of mission, and of possibility, even if what they aspired to differed. They had discovered something in society that needed doing and were determined to do something about it. Confronted with obstacles arising from the political system or social context, they would think up the best ways they could, looking for a space to achieve their aims.

Those aims were very different. For example, one NGO founder was the mother of a child with autism who had decided to set up her own organisation to address the stark lack of provision for children with certain needs. Then there was an interviewee who had learnt techniques he had found useful himself for helping drug users overcome addiction; he wanted to enable others to access this support. Another was a business owner who felt companies in his sector were getting a raw deal in international trade and wanted to set up an industry federation to give them a voice.

They all had their own different reasons and approaches but we, as observers or researchers, were referring to them all as ‘NGO founders’ [NGO创始人], or pioneers of civil society. Although their ideas, aims, and approaches all differed enormously, they seemed to share a sense of mission, and the aspiration to solve the problems they had discovered or encountered.

HS: You touched on working within the context shaped by the political system. I remember first reading Liang Congjie’s chapter in the first volume of the Oral History of NGOs in China and being struck by his own experience in this regard. After co-founding Friends of Nature in 1993, he had lived with the worry, every time he went anywhere on business, that someone would come along and close them down. In Mr Liang’s own words: ‘That’s really just how it was, no joke, as soon as I was away for any length of time, I’d worry that on my return I’d find that Friends of Nature had been shut down.’

He stressed Friends of Nature’s cautious attitude, saying they set out to start an NGO that could influence environmental policy but that kept a ‘low profile’ and strategically opted to be less confrontational vis-a-vis the government than some foreign NGOs working in China at the time. He spoke of being keenly aware of the NGOs that would come after them, and the sector that was developing. Friends of Nature intended to tread carefully with the future of the sector in mind, taking care not to do anything that would create barriers to its development.

You just spoke of the diversity of interviewees from different backgrounds and with a whole range of ideas and ideals; do you think it was common for them to feel they belonged to some larger community, aware of others, and seeing what they were doing as connected? Or do you think these were individuals focused on their respective causes?

WW: That is an interesting question. Like Liang Congjie said, they were thinking about how they could avoid blocking the path for future NGOs. This is something a lot of NGO founders in a context like China’s might think about, or be aware of, and they may have this in common.

In the early days—the 1990s and early 2000s—the social and political context was very different from that of today. It might seem the space those first-generation NGO founders operated in was small, and they may have shared a fear about possible closure, making them conscious of ‘strategy’. Liang Congjie and others looked for common ground with government to find ways to prompt those in power to achieve what they were already meant to be doing. In the book you mentioned, Mr Liang put it this way:

We don’t point fingers at the central government itself. Instead, we say ‘look, such-and-such a place isn’t listening to your directions, they’re violating your principles.’ This way there’s nothing the central government can say—their environmental protection laws and policies are sitting right there. If I report back to you someone’s violating your own laws and policies, can you tell me you’re not going to do anything about it ... Even if it’s just about putting on appearances, they still have to support us. We’ve always adopted this approach.

Another thing that the interviewees would often point out is that the government itself is no monolith. It has different departments and individuals and, as an NGO, you have to figure out where and how to find space and opportunity to lobby them, to find common ground to influence them on. Those early NGO founders spoke of this a lot.

But while adopting such ‘strategies’ they were also affected by the strategies they chose. This was the unavoidable reality. When an NGO wants to advocate, it faces a range of options, and often chooses the one most likely to work in light of its environment. This in turn affects the organisation, becoming part of that NGO’s history, influencing its future development. Gradually a lot of NGOs will develop certain commonalities through this process as they adapt to and even develop a kind of complementary relationship with the Party-State.

But I should also point out that the books published through the Oral History Project (three to date), and the tremendous diversity and richness they show, still only capture a small part of the material collected. A lot of it we could not publish and, following the interviews, different people went in different directions. Some made it further than others; some chose different paths. The line not to be crossed is never clear and everyone’s judgement of it is different. Among those we interviewed, some are less influential in the NGO field in China today, others have found methods that have led to significant influence, and still others left their mark even though for some memory of that is fading. There were also those who chose to pursue their ideas and ideals overseas.

HS: I remember talking to an experienced NGO leader who had worked in a range of fields. He said they had often resorted to ‘ways you find when there is no way’ [没有办法的办法]. I asked if there was something positive about that—that even when there was no way they would still find a way. He disagreed, saying it was wholly negative—the result of having your hand forced by reality.

You have given a good sense of the diversity and plurality that come across in the Oral History volumes. I want to turn to the changes in the past few years, like the introduction of the Charity Law in 2016, and the increasingly institutionalised environment, with the government introducing categories for managing NGOs and the Chinese Communist Party developing a growing repertoire of strategies to permeate and grow inside them. If we think back to those early NGOs, they may have been small, even weak, but they seemed to sometimes have choices when it came to finding a way to pursue their aims. Do you think it is the case to some extent that even ‘ways you resort to when there is no way’ have been closed off as an option? Do you think there were greater possibilities in the early days?

WW: ‘Possibility’ is an important idea. The scope of possibility has shrunk; a rich spectrum of possibilities has been whittled down and compressed into a small space; the room for choice has shrunk a lot. It is much more useful to think about changes in Chinese

civil society in terms of ‘possibility and change’ rather than ‘linear development and setbacks’.

The early NGOs may have been smaller, society’s awareness lower, and the volume of resources more limited, but even with its frailty, it was still richly diverse. There was a lot of dynamism there, a lot of possibilities and imaginable futures, even though there were always challenges. One of the most typical challenges was the one you mentioned that Liang Congjie spoke of: not knowing if one day your organisation would be shut down.

But now, particularly since Xi Jinping, there has been a comprehensive promotion of institutionalisation and what the Party-State calls ‘governance modernisation’, pushing for standards and relatively inflexible institutions. A lot of newer generation NGOs today have been produced or shaped through systems of incubation or tutelage. Many of the restrictions and funding priorities today are clear, more observable, so new-generation NGO founders can weigh up their choices, evaluate, and decide what kind of NGO they are going to establish. This includes things like the rules on registering NGOs, the conditions placed on those registering, and the criteria used in their evaluation. From the policies themselves it might seem restrictions have been conditionally relaxed, but when it comes to operating, the extent of enforcement is entirely different, the provisions and their implementation are guiding NGOs at every step.

NGOs today can consider with some clarity most of the restrictions and factors that may pressure them to develop in a certain way. This is different to the worries of those early NGOs and the grey space they faced where possibilities often involved tacitly accepted approaches.

Based on my experience of evaluating NGO projects, through which I come into close contact with a range of organisations in different fields, aside from the pressures of survival, more recently established NGOs spend a lot of energy on ‘competition for growth’. There are a lot of resources available today but how are you going to obtain them? How do you ensure your growth? A lot of energy is sucked up in this.

HS: Some might argue it was inevitable that after the 1990s, when the space was mostly unregulated, along with increasing institutionalisation, there would be a closing of the tacit space and that this would be true in any country or system. You have observed and engaged in the Chinese NGO sector a lot, at the NGO Research Centre, in startup NGOs, at an NGO set up to support other NGOs, and in NGO project evaluation and research. In your view, was the closing of space and flexibility that we have seen inevitable? If so, where does that inevitability come from: institutionalisation processes, the political system, both of these, or something else entirely? Or, on the flip side, could things have developed very differently?

In the heyday of research on China’s growing organised civil society in the 1990s and 2000s, some thought the developments you have described could carve out new political liberties or even lead to deeper political change. But since then, a sturdy consensus has

emerged among scholars like Anthony Spires, Jessica Teets, and Daniel Mattingly, who have developed sophisticated and convincing arguments that under the Chinese authoritarian regime, organised civil society works to strengthen the Party and the State. When we are theorising these things, it is important to remember that just because something *did not* happen does not mean it *could not have* happened, although that might sound naive in the context of the Party-State as it has developed under Xi, who has banned the very concept of civil society; you are not allowed to use it, print it, or debate it. Obviously, there is a lot of pessimism about Chinese civil society's development today. What is your view?

WW: The comparative perspective you touched on is important. Across different political systems you will find plenty in common. On the question of inevitability, in any sector, in its initial period of growth, there will be a lot that is unregulated, does not need to meet imposed standards, and might be characterised by vitality, flexibility, and possibilities. But we need to think about the role the Chinese system plays in the sector's growth process. I lean toward the view that particular elements of that system have been permeating deeply into the process of introducing standards, regulations, indicators, and the like. Views may differ as to the extent and nature of the influence, but that influence is there; scholars like Kang Xiaoguang and Zhu Jiangang have done a lot to explore this.

But if we change the timeframe in question then the notion of inevitability and possibility might seem very different. For example, if you take the start of Reform and Opening in the late 1970s through most of the 1980s, the possibility of a vibrant civil society was a whole different story. China found itself at a crossroads in the 1980s. After Tiananmen, the path-dependency of the direction of development became much clearer.

There is a lot we can observe in terms of how the political system has affected the development of organised civil society. This across-the-board institutionalisation might be described by the Party-State as the 'modernisation of the governance system and capacity' [国家治理体系和治理能力现代化]. We have to be careful not to simply conflate development with modernisation or institutionalisation with improvement.

In examining civil society's development in this context, it is important to try to observe developments comprehensively rather than thinking about only one subset of institutions. There are a lot of systems and institutions being built up, like everything that goes along with government contracting of NGO services, and regulating NGO registration, foreign NGOs, and charity, and then there are the major 'political drives' like the heavily politicised poverty alleviation campaign. If you take these together, you arrive at a very different impression to the one you would get if you were just looking at one subsector.

But at the same time, those involved in organised civil society's continued development—the individuals, the NGOs, and the different government departments and staff—are not part of some monolith, swept up together by the structures, and incapable of doing anything. To some degree, they all have agency and space to make choices.

On the question of optimism or pessimism, it depends on the ideal state in the observer's mind. For many, a pluralistic, democratising civil society is the ideal state. If we adopt this perspective, the answer to your question would be that I am pessimistic. But it is important to point out when saying this that we should never overlook agency.

Within an overall state of pessimism, it remains clear that there are still signs for optimism. Of course, the hope is that China can become more democratic, develop rule of law, and have less concentration of power, but even if fundamental change to this basic framework is incredibly difficult, at the level of individual humans and their wellbeing there is a huge difference between taking action and not; between trying and giving up. In this sense, there is still a lot that NGOs can do. As long as NGOs and individuals continue to seek those spaces that they can use then they can bring positive change even within the context of the present system.

It is important that we do not forget that this richness and possibility existed. As you said, just because something did not happen does not mean the possibility was not really there. Today it is easy to misinterpret the failure of those possibilities to generate deeper change as proof that the possibility itself was always a mirage. If anything, such a misinterpretation stifles imagination, does no justice to those pioneers, and reinforces an overestimation of the cohesion and continuity of the system itself. ■

Translated by Holly SNAPE.



Yingxiu Middle School Memorial. PC: David and Jessie Cowhig (CC).

NGO Development in China Since the Wenchuan Earthquake

A Critical Overview

KANG YI

While the NGO sector has remained on the rise in China over the past decade, the Party-State has managed to direct and dominate its development. How do Chinese NGOs adapt in this evolving environment? Have the Chinese Government and NGOs reached an understanding about how to deal with each other? And what research agenda can we pursue to move forward the study of civil society in China?

In an essay published in this journal in 2018, I commented that in the decade that followed the Wenchuan earthquake of 2008 I had witnessed the transformation of civil society development in the quake-struck areas from a grassroots-driven, wild process to a rather fluid and dynamic situation and then to a top-down and managed process. My research largely focuses on those nongovernmental organisations (NGOs) that are registered with state authorities and are mainly service-oriented; some NGOs that stay unregistered for various reasons or pursue advocacy missions face a far more antag-

onistic environment than the organisations in my analysis (Franceschini and Lin 2019). The changes that have occurred in this realm since I penned those words have reinforced this view: while the NGO sector is on the rise in China, the Party-State has managed to direct and dominate its development. But what are those changes? How do Chinese NGOs adapt in this evolving environment? Have the government and NGOs arrived at a certain understanding about how to deal with each other? And, finally, what research agenda can we pursue to move forward the study of NGO development in China?

The Role of External Actors

Various overseas actors have played a significant role in fostering NGO development and changing the relationship between state and society in China. Through their endeavours to inject new ideas into local governance, they have inspired and engaged both state agents and social actors, creating platforms for constructive state-in-society interactions. My study of a group of Hong Kong social workers building a social work profession in mainland China has enabled me to explore how those external actors, through their efforts to promote professional knowledge across borders, have helped build internal and external networks for Chinese NGOs to bridge their locally embedded practices with global norms and standards (Kang 2020c). The Hong Kong social workers were largely cooperative with the local state and made compromises in their attempt at ‘indigenisation’, but they also carried out prosaic yet constant struggles to incrementally expand NGO turf within the political boundaries of mainland China.

At the same time, local cadres make strenuous efforts to reshape the practices of external actors to ensure their actions conform to the government’s existing objectives and agenda. Stephen Noakes and Jessica Teets (2020) have found that international NGOs and foundations working inside China must comply with domestic rules, norms, and practices, facing difficult trade-offs in engaging

with the country’s strong authoritarian government. Thus, they make a series of strategic adaptations as a pragmatic response to operating within China. Echoing their work, my research also finds that the Chinese Government has engaged Hong Kong social workers in the neoliberal management of indigenous social work organisations, which promotes apolitical pragmatism while suppressing advocacy and discouraging cultivation of expertise (Kang 2020b). Being vulnerable to the government’s political clout, these overseas professionals have become increasingly frustrated by the various gaps in mentality and substantial power asymmetry between themselves and the agents of the Chinese State. Frictions accumulating over time, along with the growing hostility of the Chinese Government towards external civil society actors, have driven many of them away from mainland China in recent years. Such dynamics have resulted in shrinking external funding and support for Chinese NGOs, which have forced many NGOs that were previously supported by overseas organisations to turn to domestic funding sources (Gåsemeyr 2017).

The NGO Funding Game

Although it should be noted that there are regional differences in terms of the funding game and its implications for state–NGO relationships in China (Hsu et al. 2017), my fieldwork in Beijing, Shanghai, and Sichuan between 2016 and 2017 has allowed me to gain some insight into the current dynamics (Kang 2019). The government is increasingly using purchase-of-service contracting to incentivise and manage NGOs (Jing 2018; Yuen 2020). Private foundations are growing rapidly, and some have actively supported the development of grassroots NGOs although funding remains relatively limited (Shieh 2017). At the same time, funding to Chinese NGOs from international foundations and organisations has gradually shrunk in recent years due to tighter government restrictions, especially after the enactment of the Foreign NGO Management Law of 2017 (Teets 2017). In this context, both existing NGOs that were previously supported by overseas organisations and newly established

NGOs have turned to government funding and the various grant schemes of domestic private foundations, which have become the two dominant funding sources for China's civil society (Yu 2016; Gåsemyr 2017). In this situation—which I previously described as a ‘twin-pillared NGO funding game’ (Kang 2019)—Chinese NGOs simultaneously feel two opposing effects. On the one hand, the coexistence of government funds and private foundations’ grants—which differ in their focus, selection/evaluation criteria, and scaling strategies—has offered alternatives to NGOs’ practices and growth paths and thus widened the space for diversity. On the other hand, the two funding pillars similarly adopt commercial logics and drive NGOs to eschew challenging the status quo and fit into fields and roles supported by the government, hence repressing NGOs’ unique organisational missions and characteristics. While NGOs pursue dynamic and multifaceted resource strategies to exploit the space created by alternative funding sources, they eventually find their options extremely limited.

NGOs elsewhere also face isomorphic pressures as they voluntarily conform to donor expectations of appropriate and acceptable practices (DiMaggio and Powell 1983). The pressures Chinese NGOs face, however, are unique in their relative novelty and irresistibility. Since Chinese NGOs have long experienced coercive and mimetic pressures from an intimidating Party-State (Hasmath and Hsu 2014; Gåsemyr 2017), isomorphic pressures generated by friendlier funding mechanisms are unfamiliar to them, and they therefore remain wary yet experiment with flexible and versatile approaches. Some adopt mundane survival strategies, such as testing alternative opportunities to understand their differences and crafting development paths accordingly (Kang 2019); others pursue strategic advocacy, such as engagement in ‘service activism’ and ‘resistance through accommodation’ (Yuen 2018; Jakimów 2017). Chinese NGOs’ resource strategies are moving beyond the dichotomy between ‘state alliance’ and ‘state avoidance’ (Hsu and Jiang 2015) towards more multifaceted and interactive approaches, with ‘navigation, circumvention and brokerage’ being a more accurate description of the current situation (Gåsemyr 2017).

However, Gåsemyr’s (2017: 99) prediction of Chinese NGOs’ prospects of being ‘proactive and innovative and less donor-driven’ was too optimistic. The twin-pillared funding game has made Chinese NGOs passively accept donor dominance (unless they bravely exit the game) and has ultimately restrained their imagination and creativity. Moreover, unlike their counterparts elsewhere, who form mutually dependent partnerships with donors, Chinese NGOs face severe power imbalances and thus possess extremely limited bargaining power when interacting with government and private foundation donors. Newly established NGOs, in particular, face a vicious cycle: being weak and less well-developed, they lack the resources and space in which to accrue proficiency and demonstrate their unique value in areas where the public and private sectors lack competence, thus they are at the mercy of donors’ whims, which makes them even more vulnerable and likely to become government-like or business-like organisations (Kang 2019).

The Evolution of the Local State-NGO Relationship

Much work has been done to understand the relationships between local governments and NGOs in China. Researchers have observed that, with the practice of neoliberal governmentality, the Chinese Government has increasingly retreated from the provision of social welfare, leaving social services that the government supports but is unable to fully provide to NGOs and privately funded philanthropy programs (McCabe and Deng 2018; Zhan 2020). On the other hand, the local state is not retreating from control. Local officials at different levels and in different departments interact with NGOs in different ways and form various microlevel relationships. Accordingly, NGOs strategically cope with the multilevel, multifaceted institutions of the state (Newland 2018; Yuen 2020).

After closely following the evolution of local state–NGO relationships in six cities in Sichuan for a decade after the Wenchuan earthquake, I have found that the state resources that could have been used to advance the NGO sector’s overall capacity have been gradually channelled along patron–client lines (Kang 2020a). Local officials—especially those at the frontlines of governance—increasingly understand that it is counterproductive to simply employ some general policy frameworks to control NGOs. Rather, creating consensus and authority through their individual interactions with NGOs can be more effective for establishing stable working partnerships and reciprocity. Controlling manifold resources and possessing management authority in purchase-of-service contracting, local officials thus have progressively pursued clientelist strategies towards NGOs, actively seeking and nurturing NGO clients—the NGO working partners whom they consider to be loyal and reliable—to appropriate their resources and personnel for purposes such as policy implementation, service provision, stability maintenance, and so on. The NGO clients can receive favourable treatment and protection but need to continuously invest resources and efforts to strengthen the ties with their patrons instead of striving to enhance their expertise. Such clientelism is sustained by the marked power imbalance and resource inequality between state agents and NGOs, as well as the absence of security, space, and alternatives for NGO advancement in contemporary China. Its effect is to prevent NGOs from moving towards more competitive and pluralistic forms.

Officials’ clientelist approach enables the local state to coopt NGOs in a deep and extensive way—a form of control I have defined as ‘dispersed domination’ (Kang 2020a). Domination is achieved through unbalanced reciprocity as NGOs are more dependent on state agents; it is dispersed as local officials and NGOs interact in a scattered and atomised manner. Such ‘dispersed domination’ shows the diversity within both the local state and the NGO sector and the increasing fragmentation in local state–NGO relations in China. On the one hand, the development of cohesive civil society is unlikely, while on the other, the state can

hardly achieve integrated control over the rising NGO sector as encounters between government authorities and NGOs remain highly scattered and atomised, with officials each groping for their own personal way to cope with uncertainty. Furthermore, as disparate parts of the state and the NGO sector form self-perpetuating coalitions, changing the status quo becomes difficult.

Contrary to the expectation that a growing, vibrant NGO sector could somehow ‘limit’ state power, in recent years, the Chinese local state has become increasingly capable of ‘moulding’ NGOs to fit its governing rationalities. Possessing the power to selectively allocate resources and opportunities, local officials have made highly conscious efforts to proactively shape the patterns of NGO development, with the aim of reasserting their dominance over new social actors and maximising personal gains from such relationships. The engineering of compliance and consensus is no longer the result of top-down authoritarian coercion alone. Rather, the local state has progressively intermingled with NGOs and coopted them into a structure of interests (Kang 2020a). Thus, Toepler et al. (2020) asked the question: ‘[C]an civil society actively undercut democratization efforts by directly or indirectly supporting non-democratic regimes?’

Opportunities for NGOs to regain initiative and bargaining power lie in their ability to solve new problems and produce new knowledge that can create fresh learning experiences for the government. Such an ability may depend on, but at the same time enable, NGOs’ endeavours to establish meaningful new connections with domestic and overseas actors in the public and private sectors.

Research Agenda: Attending to NGOs’ Knowledge Production

In the era of a ‘risk society’ (Beck 1992) and digitalisation, when crises occur more frequently and technologies bring greater uncertainties, NGOs’ unique role and capacity in fighting social vulnera-

bilities demand greater attention. Interdisciplinary knowledge accumulation has contributed to an ever-expanding understanding and imagining of vulnerability. Nonetheless, the actors noted for knowledge generation predominantly consist of research institutes, think tanks, and industrial research and development units. NGOs' roles in knowledge (co-)production or as 'boundary organisations' (Guston 2001) remain understudied. This might be explained by the fact that NGOs' *tangible* services and support for vulnerable communities always attract more attention. However, in coping with social vulnerability during crises or on a daily basis, NGOs continuously engage in knowledge production that can inform vulnerability reduction in the long run. Information and knowledge as crucial types of resources and weapons may bestow on NGOs their unique power. Moreover, activities related to knowledge production, such as archiving and fact-checking, which are so mundane in routine work and hence often go unnoticed, have become increasingly important in this information age and especially in crisis situations like the COVID-19 pandemic. Knowledge production processes also have relational characteristics (Plotkin 1994). They not only reveal the multiple, dynamic interactions between NGOs and a wide range of actors, but also open space for NGOs' horizontal network-building, both inside and beyond regional borders.

A focus on knowledge production will enable us to tell the stories of NGOs that go beyond the conventional dichotomies of their service-delivery versus value-advocacy missions or cooperative versus conflictual relationships with state agencies/commercial sectors. How can NGOs be empowered by their knowledge possession and production despite their weaker economic and institutional status vis-a-vis state or private-sector actors in contemporary China? What explains different NGOs' uneven capabilities and heterogeneous approaches of generating, accumulating, and communicating knowledge? How do the processes of knowledge generation and transmission bridge NGOs with diverse participants from government, business, external civil society actors, and local

communities? These are the questions that lack systematic examination in the extant literature, and they deserve careful examination in future study. ■



Humility in the Pursuit of Tacit Knowledge

Public-Benefit Work in Poverty Alleviation and Rural Development

A classroom in a rural school participating in the 'One School, One Dream' (一校一梦想) project. PC: Zhou Jian.

ZHOU Jian
TIAN Hui

Zhou Jian kindly agreed to write for us about his experience of almost 15 years of working in poverty alleviation, rural development, and community development in different regions of China. Zhou began this work full-time following the Wenchuan earthquake in 2008. In 2012, he co-founded the Beijing Gan'en Philanthropic Foundation (北京感恩公益基金会) with prominent figures such as Wang Zhenyao (former head of the Ministry of Civil Affairs Social Welfare and Charity Division and now Dean of Beijing Normal University's China Philanthropy Research Institute), Ye Fu (writer and poet), and Yang Lixin (actor). Although Zhou is the foundation's director, in practice, he commits much of his time to working on the 'frontlines' of

projects himself. In this essay, he shares his thoughts on the development of the 'public benefit' (公益) sector over the years as it has become increasingly focused on efficiency and competitiveness (市场化), and on scaling up (规模化)—topics that have been hotly debated in recent years in the sector. This is combined with his reflections on working in poverty alleviation and rural development against the backdrop of two major national strategies, the 'Battle Against Poverty' (脱贫攻坚战) and 'Rural Revitalisation' (乡村振兴). Tian Hui, who is an intern at the foundation, worked with Zhou Jian to produce this essay as a form of oral history.

The Editors

In May 2012, my partners and I co-founded the Beijing Gan'en Philanthropic Foundation. The foundation's mission is to 'foster the capacity and values of individuals to pursue a happy life'. It has, from the outset, focused on rescue relief, community development, and education. In this essay, I would like to focus on certain debates about civil society in the community development field and a few of my own thoughts on those issues based on my experience of working in this field for more than a decade since the Wenchuan earthquake.

In practice, in the Beijing Gan'en Foundation's 'public benefit' work in rural education and community-building, we have always tried to start from a place of respect for local social customs, to use people's tangible needs as a vehicle, and to integrate into the processes of a project an attempt to foster awareness of rights and responsibilities. We try to incorporate processes for public participation in, and oversight of, community affairs. With this, our aim has been to use the process itself to have an unobtrusive but positive influence on the individuals with whom we work, promoting the aims of social cohesion and mutual aid as a corollary effect.

Many people think that public-benefit work can change the world. In my view, what can really change the world is people, and change in people comes not from public-benefit work but from people themselves. What public-benefit work can do is influence people through the process of a project or an activity. The important thing is the process. When people themselves change, they can bring about a change in their own community, or in society more broadly. This is one form of value that public-benefit work can bring to society.

So, what is the value of public-benefit work? In my experience, in China's cities, people often see the point of public-benefit work as being to 'make yourself more virtuous by doing good'. In rural areas, it is a common perception that public-benefit work is mostly 'government-arranged'. In the non-profit sector, many think our role is to 'make up for the failings of public policy'. To me, this hodgepodge of ideas is not especially useful to non-profit organisations (NPOs, 公益组织) if we

want to integrate ourselves into our societies, economies, and cultures to become meaningful actors in the interplay under way in China's social development.

In practice, no matter which of these views an NPO adheres to, it is likely to run into all kinds of problems with its partners, local government, and the villagers it intends to benefit. At times, these conflicts may even escalate to such an extent as to shed doubt on an NPO's professionalism and integrity.

Respecting Local Capacity

I have often observed an issue with NPO projects in rural areas that I think merits reflecting on. An NPO, for instance, might see schoolchildren in rural areas with their homemade woven bags and cotton satchels instead of rucksacks and feel a sense of 'responsibility'. They regard it as a shame for these poor kids that they do not have 'proper' rucksacks. They then go and transport huge batches of rucksacks, all one shape and style, to the countryside and hand them out to these kids. It is not uncommon to see one child being handed a dozen bags.

Conversely, someone like Eckart Löwe—a teacher from Germany who spent more than a decade teaching voluntarily in rural schools in China and to whom I spoke about his experience—would take a completely different view. He would see these children's hand-stitched bags of all different kinds as a reflection of how creative and smart, and how capable, these children are. In this small example, the NPO's act of 'kindness' unintentionally invalidates and strangles the creativity of these children, demeaning their sense of identity in the cultural context of their rural village, and undermining their sense of self-worth.

This happens not only in education. I have been to more than 150 poor counties in China, and this kind of thing is far too familiar. In my experience, many NPO projects see only materials and not people; they see only the 'pain' of others and

not their creativity. Löwe once said that China is gutsy when it comes to a lot of things, but when it comes to education it is not. In rural education, I see all the time that NPOs focus on how ‘poor’ the education is in rural areas and on how they can ‘improve’ it. It is rare that we hear of the ‘good’ in this ‘poor’ rural education.

This kind of ‘public-benefit support’ comes with a sense of superiority, tying rural education neatly up into our models of ‘success’ through its discourse of their ‘backwardness’ and acting as a constant source of feelings of inferiority for these children. At the same time, it introduces new-fangled ‘postmodern’ approaches like ‘pastoral learning’ to the countryside. This facile creation of some ‘special character’ of rural education may appear on the surface to be all nice and nurturing but, in reality, it often ignores the real needs of these children. It gazes right past their emotional and educational needs.

Education should, in my view, be developed based on the genuine needs of those being educated. It should not be based on the subjective assumptions of those doing the educating. Similarly, the support that NPOs provide for rural education should not just come from the NPO deciding a model by itself. It should be based on the genuine needs of rural education.

In 2015, the Beijing Gan’en Foundation launched a project called ‘One School, One Dream’ (一校一梦想). From the project’s launch to today, it has helped small rural schools in 25 provincial-level regions of China to realise 720 ‘dreams’ for their school communities, directly benefiting at least 82,769 children and 7,448 teachers in rural areas. The most important feature of this project is that the autonomy to decide on, or the power to agree on, the content of the project’s support rests with the individual rural school itself. This enables the school to become the directing party in the project. As these individual projects set out directly from the needs of these rural schools, the schools themselves engage in the online fundraising process. Rural teachers can use their own social resources and boost their capacity to organise them. This begins a process of building a localised social support system for the school, meaning the school can shift itself from standing alone without assis-

tance to becoming part of a model built together by parents, communities, and through social participation. This results in the development of a model of localised support for the sustainable development of rural education.

In public-benefit or poverty-alleviation projects, integrating efforts to foster awareness of rights and responsibilities is not just about giving the party we are supporting the autonomy to make their own decisions. We also have to consider the specific environment and economic factors, make the whole thing transparent, and put the power to oversee in the hands of the community.

Not Treating People ‘Merely as a Means’

In the past few years, with the impact of the larger policy environment strategy (in the context of the national Battle Against Poverty), the community development field has gained a lot of attention. Not only NPOs, but also local governments have sought to become actively involved in poverty-alleviation and community development work. The conflicts of different ideas and understandings, and the competition that characterises this field, have become important factors influencing its development.

A county Communist Party secretary in charge of a state-designated poor county recently related a case that merits reflection. One of the strategies used in China’s poverty-alleviation campaign is to relocate poor villages from areas determined to be inhospitable and unable to sustain in the long term the lives of the people living there. This case occurred in an isolated mountainous region. One of the ‘designated-poor’ households set to be relocated had chosen to be part of the building process (as opposed to having everything done on their behalf), but under this policy there were different ways of handling each different stage of house-building. In this case, the government had made a direct cash payment to the household for the ground-levelling stage (the part of the building project notorious for bringing the highest risk of unforeseen costs). The household was left

to take care of the ground-levelling themselves, with the government planning to step in following completion to arrange a construction team to begin building (the part of the process for which costs are relatively stable and predictable). In the event, the household spent more on the ground-levelling process than the 10,000 yuan the government had allocated them. This household went time and again to the township government to request the additional cash to cover the costs, arguing that it was the government that had wanted to lift them from poverty in the first place; it was the government that wanted them to build this house.

This county party secretary wrote an essay criticising the designated-poor households for thinking they can milk the process by putting pressure on the cadres who they know to be under pressure, thinking, ‘I’m just one of the ordinary folk, who have I got to fear?’, while knowing that ‘cadres have more to be anxious about’, because if that household is not ‘removed from poverty’ the cadres cannot submit reports to their superiors on their work because they need someone from the designated-poor household to sign the poverty-alleviation form. The county secretary argued that this way of seeing things is wrong and the poor need to be educated.

To me, as someone who has worked in development for many years, the ‘erroneous’ views of these households are testament to Kant’s view: ‘Treat humanity ... always at the same time as an end, never merely as a means.’ If we treat humans as a ‘means’ in a process (in this case, seeking to ‘lift them’ from poverty), it is a degradation of people’s integrity. If we think about this anecdotal case, clearly the ‘poor household’ was aware they were being treated by the ‘poverty-alleviating cadre’ as a means to complete the latter’s ‘poverty-alleviation’ duties, and so only naturally the ‘poor household’ in return viewed the ‘poverty-alleviating cadre’ as a means to realise their own needs.

In my view, the one needing ‘education’ in this case was the poverty-alleviation cadre and not the poor household. The cadre treated the act of ‘helping’ that household as the means to complete their duties rather than focusing on the people themselves as the ultimate aim. In the process of designing public-benefit projects, NPOs sometimes

consider how to ‘meet the needs of poor people’ but do not listen carefully, observe, and respect the views of ‘the poor’. Far from considering how to maintain integrity through their projects, they sometimes fail even to recognise the importance of the spontaneous knowledge of those ‘poor people’—the knowledge they have developed through their own everyday experiences. This being the case, it is not surprising that we often see this kind of absurd situation where cadres and ‘poverty alleviators’ complain that no matter what they do ‘there is no satisfying people’.

Thinking back to China before 1949, I believe an important reason the Chinese Communist Party (CCP) was able to defeat the Kuomintang and take power on the mainland was that the Kuomintang’s attempts to transform Chinese society relied on a kind of ‘elite-designed’ model. The CCP attempted to use a model that combined elite thinking with some level of respect for the spontaneous ways and needs of rural people at that time. From the perspective of treating people ‘as an end, never merely as a means’, that practice—now referred to as Mao Zedong Thought, which combines ‘Marxism-Leninism’ with ‘Chinese revolutionary practice’—attempted to satisfy the natural desires of China’s peasantry by ‘beating tyrant landowners and distributing the land’, using ‘the communist ideal’ to satiate human integrity.

None of this is to say that the efforts of NPOs and poverty-alleviation cadres are entirely without merit. The point is that we should not treat human nature as a means of achieving some given end. When NPOs are designing ‘rational public-benefit actions’ as a means to satisfy the natural desires of ‘poor people’, we need to think about using means that do not jeopardise people’s integrity for the sake of accomplishing some poverty-alleviation or public-benefit task.

Pursuing Tacit Knowledge

At the Beijing Gan’en Foundation, we developed a project, based on this kind of understanding, called ‘Lighting the Countryside, Brightening Homes’ (点

亮乡村 光明万家)。Part of the project is to meet the tangible needs of villagers by helping rural areas to install solar-powered streetlights. But the aim of the project is achieved by including villagers in deciding where to position the lights, in small donations, and in arranging for ‘designated-poor’ households to be employed throughout the project.

Even with this design, which attempts to involve local knowledge throughout the process, during implementation, we still found our foundation’s project team lacked sufficient understanding of the locals’ spontaneous knowledge. This led to problems in practice when what we thought of as ‘rational’ came into conflict with the reality there.

For example, in this Lighting the Countryside project, our partners employ people from local designated-poor households, according to the foundation’s requirements, to participate in the installation work. Based on management experience from working in a ‘modern’ urban environment, the project operators asked that our partners require all employees to first complete a form giving a family member as their emergency contact. We thought of this as a run-of-the-mill request but found in practice that the construction partners and the people they were employing all refused.

In the view of our implementing partners, in case of an accident involving these employees, the first point of contact should be the village party branch, the villagers’ committee, and the township government, and not the family members of the ‘poor person’ they had employed. The partners explained their concern to our project team: if anything were to happen and there were no cadres from the party branch, the villagers’ committee, or the township government present, they could not be sure of how the situation would play out.

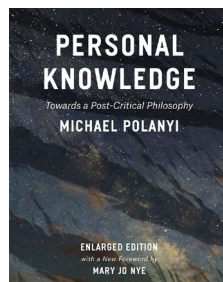
I have been working in rural areas on these kinds of projects for many years now (for more than four months of every year) and I think I have developed a fair understanding in the places I have worked of the local political, social, and cultural structures and the ways conflicts and problems are sometimes resolved. But as soon as we heard this from our partners, we recognised that our foundation’s method on this issue was overly bureaucratised. The construction partners were focusing on how to act as quickly as possible to save lives, how to

find the fastest way to solve the problem, and their thinking was clearly more effective than our own. In this case, we adopted the method proposed by this partner and changed our protocol for dealing with accidents in the implementation process.

In reflecting on this small example, we realise that in the process of implementing projects in rural areas where the NPO comes in from outside, there are often tacit and spontaneous types of knowledge that may be un-articulatable but that are vital to a project’s success. This demands that we have the capacity to be close to the ground and learn from the places where we are working. It is something that unfortunately gets lost or overlooked in a lot of the top-down work of NPOs and poverty-alleviation cadres.

The philosopher Michael Polanyi in his 1958 book *Personal Knowledge: Towards a Post-Critical Philosophy*, discussed an important component of human knowledge that he called tacit knowledge. Human knowledge can partly be clearly expressed but there is another component that cannot be articulated, that cannot be separated from the behaviour of an individual, and that can only be sensed. This kind of cognition—knowledge that is sensed—is the basis, the essence, of all knowledge.

The sense-based knowledge about which Polanyi wrote, be it for NPOs or for individuals, can bring about a complete transformation in knowledge and create entirely new knowledge structures. Taking the above example, on the question of ‘who to contact in case of an emergency’, the problem locals raised with our original method brought precisely this kind of shift in our understanding as a foundation.



Personal Knowledge: Towards a Post-Critical Philosophy, Michael Polanyi, 1958..

In my view, today's NPOs often tend to rely too much on the 'modern rational knowledge' of their urban origins, designing projects based on an overly simple, general judgement of the economies or moralities found in rural areas instead of adopting a multidimensional perspective and method to develop their projects. For example, there is currently a lot of discussion among China's NPOs on how to carry out work under the national strategy of 'revitalising the countryside' (乡村振兴). But these discussions tend to focus on 'professionalism', how to 'scale up', and how to 'replicate' projects. In reality, in 'rural revitalisation' projects, 'professionalism' is just a part of it, using the right methods to help rural areas and the people who live there.

A more important part of the discussion, in my view, should be how to make sure we on the 'front-lines' of these projects are listening more to this tacit knowledge, how to maintain humility and openness when it comes to knowing. This, for me, is the only way that we as NPOs can embed a kind of 'modern public benefit' (现代公益) in China's rural social, political, and economic practices.

We talk a lot about how to 'develop' people in the process of a public-benefit project, but what we speak less of is how to set out from a perspective of true respect for people, from a place where we are able to understand and foster their 'strengths', where we can learn from their tacit knowledge. This is something that I think is deserving of much more attention from us all. ■

Translated by Holly SNAPE



From State Humanitarianism to Equal Citizens

The Making of Disability Subjects in China

Blind activist Li Jinsheng, who in 2013 convinced the authorities to reconsider his application to take the national college admission exam after they initially rejected him citing his condition, setting an important precedent. PC: sina.com.

Shixin HUANG

This essay traces the formation and evolution of the sector of Chinese civil society engaged with issues related to disability from 1988 to today. It argues that, due to both domestic and transnational forces of sociopolitical change, the associational life of people with disabilities over the past three decades in China can be divided into three historical phases: in the first (1988–2007), disabled people were treated as objects of socialist humanitarianism; in the second (2008–14), disability rights advocacy took centre stage; in the third (2015 to today), the main role is played by social service organisations and community networks.

On 23 January 2020, the city of Wuhan, the epicentre of the coronavirus outbreak in China, went into lockdown. That day changed the lives of tens of thousands of citizens in China—and the world thereafter—including those of a family with two children with disability. On that day, Yan Xiaowen, the father of two boys with severe disability, was taken to a mandatory quarantine centre in Huanggang City, Hubei Province, along with his younger autistic son. His elder son, Yan Cheng, a 16-year-old with severe cerebral palsy who needed round-the-clock personal care,

was left to fend for himself at home. Six days later, Yan Cheng died alone in the house in the freezing winter, without food or care.

The tragic death of Yan Cheng exemplifies the systematic inequalities faced by people with disability in China. Thirty years after the passing of the Law of the People's Republic of China on the Protection of Disabled Persons, in 1990, people with disability and their family members often still lack access to economic security, health care, employment, education, and many other aspects of social life. In the case described above, Yan Xiaowen engaged in intensive labour to provide care to his children before the pandemic; as a single father, he sacrificed his work and life to take care of his two disabled sons, who were refused enrolment in public schools. The family lived in the office of a parents' self-help organisation called Home of Snail (蜗牛之家) in Wuhan, and relied on the minimum livelihood allowance provided by the local government and on public donations to survive. When the pandemic hit the country and Yan Cheng's father and caregiver was placed in quarantine, no individuals or public institutions stepped in to fill the care vacuum.

The tragedy also tells a story about the increasingly dynamic forces of community organising and advocacy *for* and *by* people with disability and their families. Local and national self-help organisations such as the Home of Snail played an important role in navigating care arrangements for Yan Cheng's family before, during, and after the pandemic. On the tragic death of the teenager, the disability community and parents' self-help organisations across the country rapidly formed collective care networks such as the Disability Volunteer Network (残障义工网络) and the Family Aid Network (特殊需求困难家庭疫情期间紧急救助网络) to provide all sorts of emergency relief services to families with disabled members. According to the most recent official population census data, there are 83 million people with some form of disability in China, which means that one in every five households has at least one member with a disability (NBS 2007). With a social policy that emphasises the family as the primary welfare provider proving inadequate to address the needs of what has been called China's 'largest minority group' (Shang and

Fisher 2014; WHO 2020), it has been the rapid development of nongovernmental organisations (NGOs), self-help groups, and individual rights advocates that has filled the vacuum since the 1990s.

In this essay, I trace the emergence and development of the civil society sector surrounding the broadly defined issues of disability rights since the late 1980s. I pay particular attention to the development of civic associations *of* and *for* people with disability, as well as the formation and negotiation of the collective consciousness and political subjectivity of people with disability in the process. In many ways, civil society is a highly contested and even problematic conception. As a concept derived from Western historical experience and theorised, at least initially, by Western thinkers, civil society is generally seen as 'an arena in society, distinct from the state, market and usually the family, where collective action in associations and through other forms of engagement takes place or, more rigidly, as the sector composed of voluntary non-profit organizations' (Heinrich 2005: 213). This liberal notion of civil society as voluntary, autonomous, and independent from the state is particularly problematic in the Chinese context, where the Party-State plays a crucial role in defining the political boundaries of where civic associations can survive (or not), strategise, and operate (Fu and Distelhorst 2018; Salmenkari 2013).

In this essay, I use the concept of civil society to refer to the associational life surrounding disability. I see the civic associations *of* and *for* people with disability, rather than being independent and autonomous from the state, as constituted by the authoritarian state's formation of disability (残疾) policy (Fjeld and Sagli 2011), on the one hand, and the transformations of the political rules that regulate the associational life on the other. Moreover, the manifestation of disability associations has developed hand in hand with the influence of the transnational flows of cultural and institutional forces of disability rights as a rising agenda in international development. I unpack the formation and development of the civic associations surrounding disability into three historical periods: the first, between 1988 and 2007, when those with disability were seen as objects

for socialist humanitarianism; a second period, between 2008 and 2014, which witnessed the blossoming of disability rights advocacy; and the third period, from 2015 to today, in which social service organisations and community networks have taken centre-stage.

In the following sections, I illustrate each of these periods in greater detail. In so doing, I am aware that any divisions of historical periods are in essence arbitrary and risk losing the nuances and contingencies of the complex historical processes. However, my attempt here at a tentative chronology is valuable in that it provides a glimpse into the key features of the associational life of the disability sector, as well as the major political and social forces underpinning them over the past three decades.

Sowing the Seeds (1988–2007)

While scholars of Chinese civil society generally refer to the Fourth World Conference on Women held in 1995 in Beijing as a turning point for Chinese NGOs (Kaufman 2012; Howell 2019; Yang 2007), I trace the formation of disability associations and the political subjectivity of people with disability from 1988, the year the China Disabled Persons' Federation (CDPF, 中国残疾人联合会) was founded. From 1988 to 2007, disability gradually became a target of state policy under the ideology of socialist humanitarianism, which paved the way for a shared (although still loose in many ways) collective consciousness of disability. International organisations also launched chapters and projects in China with an emphasis on rehabilitation. Disability assistance organisations (助残组织) and civic associations emerging from the ideal of socialist humanitarianism, and which looked at people with disability as subjects for charity and help, proliferated in those years, along with social service organisations (社会服务组织) established mostly by family members of people with disability to meet their everyday care needs.

Before the late 1980s, people with disability had never been a homogeneous social group and

disability had not been part of any unified policy put forward by the Chinese authorities. The making of the state's disability policy was a co-construction of the Party-State's modernisation efforts and the involvement of international institutions in the reform era. After the end of the Cultural Revolution, the Party-State adopted a developmental orientation and was eager to promote the economic and social modernisation of the country to catch up with the West. At that time, disability rights were gradually becoming an international development agenda for transnational institutions such as the United Nations (UN) and the World Health Organization (WHO), especially with the growing momentum of the international disability rights movement since the 1970s. The United Nations declared 1981 the International Year of Disabled Persons and, later, launched the Decade of Disabled Persons campaign, from 1983 to 1992. In light of all this, humanitarianism towards the most disadvantaged group in society, people with disability, came to be seen as a symbol of national development by China's Party-State. Under this array of domestic and international forces, a series of institutions, laws, and policies on disability has been introduced in China since the 1980s (Dauncey 2013; Kohrman 2003).

In 1988, Deng Pufang, the son of Deng Xiaoping who was left paralysed from the chest down after a suicide attempt during the Cultural Revolution, founded the CFDP. After the Cultural Revolution, Deng had spent several months in Canada to receive orthopaedic surgery. There, he was 'treated with medical care unavailable anywhere in China and exposed to discourses about disability that then were being championed by a growing number of international organizations' (Kohrman 2003: 12). On returning to China, he became a strong advocate of disability assistance, which at that time hardly existed in the policy agenda of the Party-State (Kohrman 2005). Only in 1987, one year before the founding of the CDPF, did China conduct its first National Sample Survey of Disabled Persons, which used an internationally recognised and biomechanically based questionnaire. For the first time in Chinese history, people with disability were categorised as a homogeneous group, comprising five subcategories: hearing disability

(听力残疾), intellectual disability (智力残疾), visual disability (视力残疾), physical disability (肢体残疾), and mental disability (精神残疾). Two more subcategories were added in 2011: verbal disability (言语残疾) and multi-disability (多重残疾).

With a target group now defined, the CDPF was founded as a vice-ministry that combined the functions of a representative organisation for disabled persons, a social welfare group, and an administrative organisation. In 1990, the Chinese Government passed the first comprehensive national legislation on disability, the Law of the People's Republic of China on the Protection of Disabled Persons, which had been drafted by the CDPF. The law adopted a medical definition of disability and declared:

[A] disabled person refers to one who suffers from abnormalities or loss of a certain organ or function, psychologically or physiologically, or in anatomical structure and who has lost wholly or in part the ability to engage in activities in a normal way. (NATLEX Database 1990)

Even though it defined disability as a form of medical abnormality, the law empowered people with disability by granting them equal rights to rehabilitation, education, employment, cultural life, and personal and environmental welfare. It also stipulated that the third Sunday of every May would be the National Day of Assisting Disabled People, rooted in the idea that 'the whole society should uphold the socialist humanitarian spirit, understand, respect, care, and assist disabled people and develop the work of disability'.

With the state's policy turn to addressing disability, the way in which people with disability as a social group were defined, understood, and managed in China drastically changed. A new Western biomedical paradigm of disability was adopted that focuses on rehabilitation, prevention, and integration (Dauncey 2013). Moreover, under the mandate of socialist humanitarianism, the state considered people with disability as a 'vulnerable group' (弱势群体) and focused heavily on 'assisting' (帮扶) them. As Patricia Thornton (2017) has pointed out, evolving from China's longstanding 'mass work' practices, this public

discourse about 'vulnerable groups' reinforces, reproduces, and extends the state's penetration, policing, and patronising of the underclass. As such, people with disability were seen as pure objects for biomedical intervention and socialist humanitarianism.

As mentioned above, three types of disability associations stood out during this period: international organisations focused on disability rehabilitation, the so-called disability assistance organisations, and disability social service organisations. International organisations with a disability focus arrived in China at the inception of the economic reforms, as disability was becoming increasingly important in the international development agenda. One of the most influential organisations was Handicap International (now called Humanity and Inclusion, or HI), a Nobel Peace Prize-winning humanitarian organisation founded in France. HI came to China in 1998 and its work was initially focused mainly on providing rehabilitation services to people with disability, especially in rural areas in underdeveloped provinces/regions such as Guangxi, Yunnan, and Tibet. The early work of HI included providing prostheses and rehabilitation programs, as well as disability prevention, which boosted the view of disability as merely a biomedical problem that needed to be fixed or cured.

Under the influence of the state's socialist humanitarianism, disability assistance organisations were founded throughout the country to assist people with disability as a vulnerable group. Taking various forms, from informal social groups to registered formal organisations, these groups held volunteering activities such as home visits, outings to tourist sites, and the collection of donations. For example, a disability assistance organisation called Tongren Zhucan Volunteer Service Centre (同人助残志愿者服务中心, or Tongren) was founded in 1989 by 13 people with disability to 'serve the people with a full heart' after the example of Lei Feng. The organisation attained registration in 2005 and has since conducted a variety of activities, such as training disability assistance volunteers, visiting the homes of disabled people before the Lunar New Year, one-to-one volunteer programs that match a person with disability



Zhang Haidi, a Chinese writer, translator, inspirational speaker, and chairwoman of China Administration of Sports for Persons with Disabilities (the national paralympic committee of China).. PC: Wang Jing (Sohu.com).

with a non-disabled volunteer, and fundraising campaigns for disabled children in the countryside (China Wenming Net 2016).

While organisations such as Tongren were established to assist people with disability, their volunteering activities were not enough to serve the everyday needs of people with disability and their families. Social service organisations—very often established by people with disability and their family members—thus started to emerge in this period. This trend was especially salient among parents of people with intellectual and developmental disability, who struggled to find stable care and intervention services to meet their children's everyday needs in the absence of publicly subsidised services. For example, Tian Huiping, the mother of an autistic boy, initiated the first intervention institution for children with autism in

China, the Beijing Xingxingyu Education Initiative (北京星星雨教育研究所, or Xingxingyu). At that time, autism was not categorised as a disability by the CDPF, yet children with autism and other disabilities were (and are still) regularly refused enrolment in public schools, leaving families in a desperate situation. Parents from urban areas with better access to resources and information, such as Tian Huiping, thus initiated service organisations to meet the care needs of their children. As with many of the civic associations serving marginalised groups at the time, these disability service organisations could not gain registration under the dual administration system that required NGOs to seek approval from both a professional supervisory unit and the Ministry of Civil Affairs (Yang et al. 2016). Xingxingyu instead mobilised resources by establishing collaborations with the media, inter-

national funders such as the German and Canadian embassies, and international scholars and practitioners with experience of autism intervention (Zhao 2017).

Nothing about Us without Us (2008–14)

While the state's policy agenda on disability has long been focused on assisting people with disability as a vulnerable group under the vision of socialist humanitarianism, in the mid-2000s, the discussions surrounding a new international human rights convention, the UN Convention on the Rights of Persons with Disabilities (CRPD), as well as the rapid (yet in retrospect short-lived) development of the civil society sector in China, pushed civic organising around disability to the next stage.

After a drafting process that involved five years of negotiation between more than 40 countries, the CRPD was approved by the UN General Assembly in 2006 and opened for signature in 2007. The convention adopts a human rights approach that sees disability as a social and human rights issue instead of merely a biomedical one, and emphasises removing environmental and attitudinal barriers instead of individual impairments. The CRPD entails strong civil society participation, as seen in its slogan of 'Nothing about us without us'. Not only did the process of negotiating and drafting the convention involve the highest level of civil society participation, but also the convention put strong emphasis on the role of civil society in monitoring and participating in achieving the rights of people with disability (Kayess and French 2008). The passing of the CRPD has therefore spurred a new wave of global grant-making to adopt this human rights framework and fund local projects on disability rights.

The Chinese Government's ratification of the CRPD in 2008 opened up spaces for Chinese disability rights activists to frame their experiences using a set of international rights-based discourses. Since the introduction of the CRPD, a significant number of international donors and UN devel-

opment organisations have initiated and funded programs in partnership with local civil society groups in China using the rights-based model of disability services (Huang 2020). International disability organisations that were already active in China, such as HI, changed their focus from rehabilitation to civil society empowerment. Other international organisations, such as the European Union, the Ford Foundation, and the Open Society Institute, also adopted this new human rights framework to initiate and fund programs on disability rights that mirror the international mandates in China.

The civil society sector continued to grow and blossom after 2008 (see Kang's essay in the present issue). Shieh and Deng (2011: 194) noted that the 2008 Sichuan earthquake triggered an unprecedented burgeoning of a nascent civil society in China, as signified by the 'display of public-spiritedness, charitable giving, volunteering and networking' in the wake of the disaster. According to estimates by Guosheng Deng (2010), in 2010, there were one to 1.5 million unregistered NGOs and more than 1,000 foreign NGOs in China. Deng found that the Chinese authorities were adopting a 'three nos' attitude towards this vast number of unregistered and foreign NGOs: no recognition, no banning, no intervention. As such, civic associations were able to operate with a certain level of autonomy, with some even turning into social movement-oriented NGOs that mobilised around sensitive issues such as labour rights and feminist activism (Fu and Distelhorst 2018; see also Howell's essay in the present issue).

These changing opportunity structures at the global and domestic levels played an important role in shaping the politics of disability organising in China. A nascent disability rights movement that used rights discourses and approaches to influence domestic policy and legislation emerged (Huang 2019). A new generation of disability rights activists with and without disability who had been exposed to and motivated by the CRPD's human rights framework found themselves fed up with the state's discourses and policies, which saw people with disability as a vulnerable group in need of assistance. Instead, they turned to the approach of rights advocacy (权利倡导) to claim equal rights



President Xi Jinping meets with representatives attending a ceremony commending role models with disabilities and people who have made outstanding contributions in helping the disabled in Beijing in 2019. PC: Xinhua.

for disabled people in education, employment, environmental accessibility, and other aspects of social life through legislation and cultural change (Huang 2020).

One salient rights advocacy campaign from this period strived to get people with disability equal access to higher education. Throughout Chinese history, people with disability rarely had access to university education, with one of the most important reasons for this being the lack of means to accommodate disability—for instance, with braille exam paper. The deprivation of educational opportunities made people with disability particularly vulnerable, both economically and socially. In the 2010s, disability activists such as blind masseur Li Jinsheng spent years advocating through various strategies—including petitions to representatives of the National People's Congress and the Chinese Political Consultative Conference,

and performance art aimed at attracting media attention—for the CRPD's ideas of reasonable accommodation to be introduced to the university entrance exam to grant students with disability equal access to higher education. In 2015, this series of civic actions finally led to a national policy from the Education Ministry and the CDPF that provided reasonable accommodation of people with different types of disability in the exam.

This wave of disability rights organising, along with other 'boundary pushers in civil society' (Fu and Distelhorst 2018: 106), was shut down abruptly under the Xi Jinping administration. However short-lived it was, the upsurge of disability rights advocacy of the late 2000s and early 2010s has left a significant legacy that sees the political subjectivity of people with disability in China being renegotiated and reshaped. As rights discourses were disseminated through advocacy campaigns in the

public sphere, and even adopted in national and local legislation and policies, people with disability increasingly have appeared in public discourse as equal citizens who demand equal participation in social life, instead of subjects of socialist humanitarianism passively waiting for help.

The Great Transformation (2015 to Today)

A short period of rights advocacy in disability associations faded out gradually under the Xi Jinping administration, especially after several disability rights-oriented NGOs, including the Yirenping Centre (益仁平中心; see Lu Jun's essay in the present issue) and the Enabled Disability Studies Institute (亦能亦行身心障碍研究所), were shut down in 2014 and 2015. Since these shut-downs, disability associations have endeavoured to make strategic transformations by focusing on providing social services instead of rights advocacy. Meanwhile, vibrant online community networks have started to grow among the new generation of people with disability, paving the way for a collective disability consciousness-building from the grassroots community.

Since Xi Jinping gained power in 2012, the previous approach to social governance has been replaced with initiatives that seek to restructure Chinese civil society. The Xi administration has set clear political boundaries for the sector by penalising NGOs' contentious participation, on the one hand, and by incorporating the formerly unregistered and thus unfettered organisations through the opening of new institutional channels for participation on the other (Fu and Distelhorst 2018; Teets and Hsu 2016; Teets and Almen 2018). Central to these civil society restructuring initiatives is a series of legislative and regulatory processes. The Charity Law that came into effect in September 2016 is a significant attempt by the Party-State to regulate NGOs and their activities, including placing restrictions on their sources of funding, internal governance, information disclo-

sure, scope of activity, and so on. The Law on Administration of Activities of Overseas NGOs in Mainland China (also known as the Foreign NGO Management Law) that came into force in the same year furthered this trend of institutionalising the sector by regulating foreign NGOs and their activities in mainland China. The law not only stipulates that foreign NGOs must seek double registration from the public security department and supervisory organisations, but also, and more importantly, forbids domestic organisations and individuals from cooperating with or receiving funding from unregistered foreign NGOs. Along with these processes is the promotion of what Jude Howell (2015) calls a model of 'welfarist incorporation'—that is, the governmental purchasing of social services from selected civic organisations as a political and economic arrangement. Under this 'new normal', disability organisations have to make strategic transformations by cutting off sources of funding from abroad and curtailing their contentious activities to seek legitimacy and support from the Party-State.

One strategy to which disability associations have resorted as they seek to adapt to the changed circumstances is to shift their focus from rights advocacy to providing social services. As illustrated by the example of Yan Cheng at the beginning of this essay, the existing social policies and services are far from being enough to meet the everyday needs of people with disability and their families. Moreover, the previous international grant-making and local rights advocacy initiatives predominantly focused on the broader picture of the political and civil rights of people with disability, even though people with disability were still experiencing practical social and economic challenges such as poverty and lack of access to services (Huang 2020). Even though the Party-State's civil society restructuring initiatives have now cut off the channels for contentious participation, disability NGOs still find plenty of opportunities to manoeuvre and serve the needs of the community through the provision of social services. Moreover, the emergence and rise of private philanthropy have made the civil society sector increasingly diverse through engagement in foundations, corporate social responsibility initiatives, social enterprises,

and, more recently, internet public fundraising information platforms (互联网公开募捐信息平台)—that is, online platforms authorised by the Ministry of Civil Affairs, such as Tencent Gongyi (腾讯公益) and Taobao Gongyi (淘宝公益), where NGOs and individuals can conduct fundraising activities. Private philanthropy has provided alternative channels for disability NGOs to gain funding and public influence, although small-scale organisations and those with a rights-advocacy orientation are systematically marginalised, if not excluded, in the process.

One example of this transformation can be found in the China-Dolls Centre for Rare Disorders (CDCRD, 瓷娃娃罕见病关爱中心), which was formed in 2008. While previously adopting the rights-based approach of the CRPD and conducting activities mainly in the field of policy advocacy and community empowerment, the CDCRD has undertaken a rather successful transformation since 2014. Rooted in the emergent needs of the community, the organisation has shifted its focus to the accessibility of medicine through public education and policy advocacy of medical insurance coverage through institutional channels. In 2014, it also launched its own foundation, the Illness Challenge Foundation (ICF, 北京病痛挑战公益基金会), to provide cash relief to patients with rare diseases after initiating a successful ‘Ice Bucket Challenge’ online fundraising campaign (CDCRD 2020). The founder of the organisation, Wang Yi’ou, herself a woman with disability, pursued an Executive Master of Business Administration degree from the famous Cheung Kong Graduate School of Business to learn about introducing a business model to the civil society sector. This series of transformations has allowed the organisation to gain a level of resources, attention, and policy influence that was previously impossible for grassroots NGOs.

Besides these formal organisations, new generations of people with disability more conscious of their rights are gradually connecting through internet platforms, forming a number of online networks. One of them is ‘The Minority’ (少数派), an online community initially formed in 2016 on the Zhihu (知乎) platform by a group of university students living both in China and abroad (Guo 2017). Xu Ye, the founder of the network, is a

PhD student researching disability issues in the United States and she started the platform to facilitate discussion among the disability community about their own experiences of discrimination and exclusion, as well as to introduce concepts of disability studies from the West to reframe these experiences. The Zhihu group soon grew and evolved into several WeChat groups with a membership of hundreds of people with disability. As they discussed their everyday experiences, these community members decided to form a WeChat official account to raise public awareness of disability, hold offline community-building activities, and conduct participatory research to unravel the community’s experiences.

Even without the apparatus of a professional organisation, community networks such as The Minority continue to evolve from the grassroots, defining their agenda, and articulating their conceptions of equality and inclusion. From these processes, the political subjectivity and the collective consciousness of people with disability continue to grow. People with disability are now connected through shared experiences of oppression and exclusion more than ever (Linton 1998). Similarly, this new generation of well-educated people with disability is neither satisfied with being the subjects of socialist humanitarianism nor bounded by the narrow vision of policy and legislative change. They are now bringing the rights model of disability to their everyday existence: the road they pass every day in their wheelchair, the discriminatory attitudes they face daily, the inaccessible website they must use to purchase train tickets, the bullying they encounter in school. Each is now an active agent to initiate change in their individual, community, and public lives—with the backup of a community of shared experience.

Towards the Future

In this essay, I traced the formation and evolution of the disability civil society sector in China from 1988 to today. I have argued that the associational life of people with disability in the past three decades in China can be divided into three histor-

ical phases defined by both domestic and transnational forces of sociopolitical change. Evolving from the mandate of socialist humanitarianism, disability moved on to the state's policy agenda and disability associations started to emerge and develop in the 1980s. The coming of the CRPD in 2008 marked a new period of disability organising by introducing a new human rights model through rights-based discourses, a rights advocacy-oriented approach, and international funding. While this short period of rights advocacy ended abruptly under the Xi administration, disability associations continue to seek organisational survival and development by transforming into service provision organisations. More diverse ways of community organising also emerged in the form of online networks.

During these historical processes, the political subjectivity and collective consciousness of people with disability have developed. In the 1980s, people with disability were defined as a homogeneous social group under the Western biomedical benchmark for the first time in Chinese history. With the introduction of the international rights discourses in the 2000s, people with disability continued to negotiate their social identity as equal citizens entitled to a set of human rights. Finally, with the blossoming of community networking, people with disability are increasingly seeing themselves as a minority social group that shares similar experiences of oppression and exclusion—a collective consciousness that might potentially transform into the driver of change.

It is impossible to predict the future as the development of the civil society sector (in China as elsewhere) is full of contingencies, and dependent on the transformation of domestic and international opportunity structures. One certainty, however, is that these disability rights entrepreneurs with a growing sense of political subjectivity and collective consciousness will continue to seek change for a more inclusive, equal, and diverse future for their community. ■



Unfinished Revolution

An Overview of Three Decades of LGBT Activism in China

Stephanie Yingyi WANG

Stonewall campaign translated into Chinese, Spanish, French, Swahili and Russian. PC: (CC) Liang HH, Flickr.com.

This essay offers a feminist political economic analysis of the development of Chinese urban-based LGBT activism since the 1995 Fourth World Conference on Women. First, it meditates on the gendered politics within LGBT activism; second, it explores how LGBT groups' NGO-isation process in the context of transnational movements is playing out vis-à-vis the Party-State's attempts to eliminate organisations linked to the 'imperial West'. According to the author, the onset of a new era of precarity is calling for Chinese LGBT activists to come up with urgent and creative strategies for survival and care.

[1] LGBT (lesbian, gay, bisexual, transgender) is an umbrella term for sexual minorities. In this essay, LGBT is used when referring to LGBT activism as it is deeply influenced by Euro-American identity politics. Queerness is used when referring to communities of sexual minorities and is preferred to the vernacular *tongzhi* (同志, a revolutionary term for 'comrades' appropriated by LGBT activists), as *tongzhi* narrowly includes only gay men and '*lalas*' (women-identified persons with same-sex desire). In addition, queerness aims to deconstruct the stableness of the identity categories of LGBT.

In the past three decades, China's civil society has gone through a series of ups and downs in the context of shifting national policies and geopolitics. The Fourth World Conference on Women that was held in Beijing in 1995 was a watershed moment for transnational feminism and LGBT activism.¹ It not only introduced the nongovernmental organisation (NGO) form as a legitimate organisational platform endorsed by the Chinese state to organise around and work on women's rights and LGBT issues, but also brought into mainland China ideologies, frameworks, and funding related to human rights issues. Feminist and LGBT activists took advantage of these new opportunities by founding a number of gender equality NGOs and LGBT rights NGOs, as well as establishing national and transnational feminist and LGBT networks. In the following decade, the Wenchuan earthquake of 2008 was widely seen as marking 'year one' of China's civil society and volunteerism, as thousands of Chinese citizens joined disaster relief efforts and formed volunteer initiatives (Kang 2018). As funding from different sources poured into the domestic NGO sector, the domestic philanthropic industry also began taking shape. However, as feminist and LGBT

rights initiatives seldom receive domestic funding because their mission is not among the priorities of prospective funders, they remain heavily dependent on international donors, which has led them to be considered politically sensitive. In the past decade, human rights activism—including activism for LGBT rights—has gradually withered away due to the draconian suppression by the Chinese Party-State, which has targeted activists and organisations seen as being linked to and influenced by imperialist agendas of ‘the West’.

In the past few years, the Party-State has used various means to rein in China’s burgeoning civil society: it has coopted some NGOs by offering them state funding, regulated the sector by drafting new laws and restrictions, and eliminated those organisations it viewed as ‘corrupted’ by foreign imperialist agendas. Besides facing increased censorship and repression, LGBT NGOs are also in danger of losing the only funding they can get from transnational partners. The shrinking space for activism not only sends a strong signal to those working on politicised agendas, but also influences the decisions and livelihoods of those who, on the surface, seem more benign to the Party-State.

This essay traces the trajectory of evolving urban-based LGBT discourse and projects since the 1995 Beijing World Conference on Women. Although the ‘NGO-isation’ process grounds Chinese LGBT activism in transnational LGBT movements, the difficult negotiation between ideals aligned with Euro-American identity politics and Chinese national values of familiarity continue to trouble local LGBT activists who are caught in between. Here, I highlight LGBT activism’s gendered troubles—namely, the contention between gay activism and lala (women-identified persons with same-sex desire) activism—due to its varied relations to gendered histories, local governments, and funding resources. On the one hand, the quest for social and political rights breeds a new generation of LGBT human rights activists; on the other, the increasing hostility of the Chinese Party-State towards entities with foreign connections makes these NGOs targets of state surveillance and violence. These movement politics and dilemmas are intensified by the political and economic precarity of NGO activism, allowing little space for the survival and

proliferation of LGBT activism in China today. In the discussion section, I expand on the pragmatist and reformist approaches currently adopted by mainstream LGBT activists in China and meditate on the politics of care that centres on the affective dimensions of social movements.

NGO-isation and Gendered Troubles

Chinese LGBT activism emerges as a distinct cultural, social, and political product in a modernising China with increasing transnational connections in the wake of market reforms. Starting from the 1990s, gay bars and lala bars proliferated in big cities like Beijing and Shanghai, along with virtual platforms such as online forums and chat rooms. These important social spaces allowed queer people to embark on a quest for self-identification and same-sex romances that was largely informed by the already established Euro-American LGBT movement and knowledge systems. However, negotiation with the singular global gay identity, as Lisa Rofel (2007) argues, is fraught with Chinese gay men’s visions of globalisation and becoming ‘desirable’, by imagining, performing, and constructing the meanings of sex, desire, and sexual identities. In their endeavour to become ‘differently modern’, as argued by Elisabeth Engebretsen (2013: 160) in her research on the Beijing lala community, lalas engage in ‘difficult processes to seek out ... new spaces and articulations of selfhood that balance dominant and somewhat desirable pressure to conform and be normal, and a newly emerging possibility for tacit intimate transgressions and lala sociality’. Chinese queer people’s painstaking negotiation with the Confucian values of familiarity, the desire to be recognised as good and ‘normal’ citizens, and the deepening influence of global circuits of LGBT activism led them to search for their own versions of ‘being gay’ in China.

The pursuit of safe spaces was what first brought gay men and lalas together, forming their circles (圈子) of *tongzhi* (Wei 2007; Engebretsen 2013). Those who were not content with limiting them-

selves to crafting out semi-public spaces for queer people increasingly turned to rights-based activism to advocate for the social and political rights of LGBT people in China. It was at the Beijing women's conference in 1995 that a US-based LGBT human rights NGO—then known as the International Gay and Lesbian Human Rights Commission and now called OutRight Action International—set up a lesbian tent as part of the NGO side events, gathering more than 100 Chinese and international lesbian activists to voice their long-repressed discontent towards the marginalisation of sexuality in the mainstream women's movement, putting forward the issue of difference in the 'women' category (Wilson 1996). The lesbian tent inspired a new generation of Chinese lesbian and bisexual women activists to interrogate their particular situation in China. Many of them later established their own grassroots NGOs with the facilitation of international funding and within the framework of LGBT rights. Around the same time, the inception of the work on AIDS bred the establishment of key gay organisations and a well-developed AIDS prevention industry in China with abundant national and international funding (Ye 2021).

After 1995, while lala NGOs in China more frequently adopted the human rights discourse to solicit funding and conduct projects, the mainstream gay organisations remained closely associated with public health initiatives sanctioned by the state. AIDS outreach in China is less politicised as it emphasises the prevention and control of HIV/AIDS without valorising the political rights of those infected. The different trajectories shape how their work is being perceived and regulated by local governments. While gay community organisations can help generate economic revenue locally, lala organisations are deemed less 'useful' in the eyes of government officials (Hildebrandt 2011). These NGO projects, predicated on either a rights framework or state-sponsored public health programs, produce distinct gendered and sexual subjectivities. The lala activist leaders are mostly educated women well-versed in English, feminist queer theories, and rights rhetoric. Gay men are often critiqued by lala activists as holding on to essentialised understandings of sexuality, lacking gender perspectives, and more easily coopted by

the government because of their shared interests in keeping up AIDS-related work.

Although China has a long history of same-sex eroticism primarily concerning male homosocial relationships, women with same-sex desire are often written out of the history books as they have been considered mere properties of patriarchal lineage (Sang 2003). The historical visibility of gay male homosociality and the global public fear of HIV/AIDS attached to gay men generated unprecedented stigma and attention. Lucetta Kam (2013: 92) suggests a 'silent, non-physical repression of non-normative sexuality enacted within the family' is indeed a violent form of symbolic erasure, which is misread as cultural tolerance. This symbolic erasure is also gendered, as same-sex relationships between women are perceived as non-threatening to the patriarchal lineage and reproduction, thus undeserving of attention. The gendered erasure of lesbian visibility is a cross-cultural phenomenon. Lesbian-led groups and organisations have been struggling to access funding resources in both local and transnational contexts (Saleh and Sood 2020). The difficulty in framing this type of violence and in claiming the needs of lala women poses an existential challenge to many grassroots lala groups, which consist only of volunteers and have no source of income. This analytical perspective foregrounds the ways in which the contemporary transnational LGBT movement and politics remain dominated by white gay male leaders due to colonial and patriarchal legacies.

While it is crucial to lay out the historical and strategic differences between gay and lala activism, the political-economic analysis of what shapes the forms and politics of LGBT activism must be considered. The contentions between gay activism and lala activism do not lie only in gay men's and lalas' educational backgrounds or the embodied knowledge of being queer. The divergence of strategies between and even hostility towards each other can also be explained by a conflict of interests between the two groups as they compete in the NGO industry for more funding and resources. NGO-isation is the process that sees 'social movements professionalize, institutionalize, and bureaucratize in vertically structured, policy-outcome-oriented organizations that focus

on generating issue-specific and, to some degree, marketable expert knowledge or services', and in which 'emphasis is placed on organizational reproduction and on the cultivation of funding sources' (Lang 2013: 64). National and local politics, as well as funding sources, are key factors that influence the processes of NGO-isation. Donors (be they state actors or foundations) define and shape NGO agendas in their framing of program calls in ways that establish specific norms while marginalising others (Smith and Grønbjerg 2006).

The NGO-isation of LGBT activism in China is clearly tied to transnational LGBT networks, funding resources, and evaluation metrics. On the one hand, the mainstream developmentalist thinking in Euro-American societies regards LGBT people in the Global South as in need of 'saving' from their authoritarian governments and/or religious and corrupt environments. New forms of colonialism and neoliberal thinking persist in philanthropic giving by valuing and funding projects that are politically oriented, such as legal advocacy, rather than community-oriented programs that are harder to evaluate. On the other hand, Chinese LGBT activists are contending with the unequal giving relationships in their own ways. Organisations like Parents and Friends of Lesbians and Gays (同性恋亲友会, PFLAG) adopt a pragmatic approach aligned with core national and family values by valorising narratives of family inclusion and social tolerance, and solicit funding from the parents of gay men and lalas. Grassroots gay men's and lala groups, as well as LGBT groups in colleges, are keen to organise community events and provide HIV testing services. A few queer organisations focus on arts and culture. For instance, in its 10 years of operation from 2005 to 2015, *Les+* produced print magazines, plays, and exhibitions that engaged in critical analysis of LGBT movements locally and transnationally, as well as pioneering queer cultural productions emerged in utopian politics that disrupt mainstream reformist LGBT agendas (Huang 2017). As NGOs with education and language privileges seek funding from transnational human rights networks, in the past decade, a plethora of rights-based LGBT NGOs has been founded by activists who are motivated by the

rhetoric of human rights and the legal inclusion of LGBT people in China.

LGBT Human Rights Projects as Battlegrounds

The terms 'LGBT', 'sexual orientation', and 'gender identity' are relatively new discursive constructions that did not appear in the Universal Declaration of Human Rights, but nevertheless are being taken up and fiercely debated in transnational and national contexts. Participants in human rights projects are required to possess advanced English writing and speaking skills, as well as to master administrative and strategic aspects of human rights knowledge, including the framework and methodology of documenting human rights violations, writing shadow reports, and advocating in international spaces such as the United Nations, while also coordinating domestic advocacy. In reality, only a few NGOs are equipped to receive such funding. The regional differences in education levels and proficiency in the English language contribute to the unequal distribution of human rights funding to large and elitist groups in relatively cosmopolitan cities such as Beijing and Guangzhou. The regional lala organisation for whom I worked in Guangzhou from 2016 to 2018 organised a series of human rights training sessions aimed at equipping grassroots activists with the knowledge needed to utilise the international mechanism of the Convention on the Elimination of All Forms of Discrimination against Women. Law professors and experienced feminist activists were invited to train the queer activists. As most grassroots activists were not professionalised and were still struggling to balance their full-time jobs with unpaid activism, many showed no interest in international advocacy. At best, they contributed data on human rights violations to a large and elitist group who could then access these international venues. This way, regional inequality is reinforced as professionalised NGOs gain greater reputation in the international space and receive more funding as a result of their advocacy efforts.

Nevertheless, even though rights-based projects often result in hierarchical and unequal receptions of the global to the local, and the privileging of elite voices and participation, some scholars argue the process could still be regarded as productive as it enables educated elites with resources to make political use of their privilege and translate it into crucial institutional openings for minorities' civil society organising (Zhang 2009). Chinese feminists and LGBT activists have been particularly mindful of the role of international advocacy in pressuring the Chinese Government to implement its gender equality policies and to acknowledge LGBT issues at home. Even though the promises made by the Party-State are not necessarily actualised, activists still consider these commitments a success for future advocacy. One such moment that Chinese LGBT activists cherish as an achievement came in 2018, at the Thirty-Eighth Session of the United Nations Human Rights Council, when China's UN representative Jiang Duan specifically mentioned China's opposition to discrimination and violence on all grounds, including sexual orientation. His remarks were in response to the report by sexual orientation and gender identity independent expert Victor Madrigal-Borloz (2018) documenting two successful cases of antidiscrimination litigation in China. These two cases pointed to the existence of effective legislative measures to ensure the human rights of LGBT persons in China. The first case was an affirmative verdict against a company in Guizhou Province that had discriminated against an employee due to their sexual orientation; the second case was a court ruling against forced conversion therapy in Henan Province. In both cases, local LGBT NGOs had coordinated to provide legal aid to the individuals to file lawsuits against unfair discrimination and violence.

Illegalisation and Precarity

In the past decade, LGBT human rights advocacy has achieved some success on the international stage, making Chinese LGBT communities visible globally. On the other side of the coin, however, the

close association with transnational human rights organisations has made LGBT NGOs targets for state censorship, surveillance, and violence, especially after China began tightening its grasp on civil society organising after Xi Jinping's administration took power in 2012. A new national construction project embedded in the slogan the 'Chinese Dream' (中国梦) has replaced the 'socialist harmonious society' (社会主义和谐社会) of the previous administration, emphasising the revival of the Chinese nation under the sole leadership of the Chinese Communist Party. Controlling and disciplining civil society organisations and liberating them from foreign influence are crucial steps in making the 'Chinese Dream' come true.

The 2017 Foreign NGO Management Law is a clear attempt by the Chinese Party-State to quell the influence and impact of foreign NGOs and foundations, as well as to rein in domestic organisations with close transnational ties. The law has had a chilling effect on this part of civil society, as their 'illegal' activities have now become punishable by law. This clearly indicates that these domestic and international organisations are first and foremost a public security concern to the Chinese authorities. If LGBT NGOs lack official recognition and status, it is primarily because of the strict registration requirements and their inability to find a supervisory unit to represent them (Unger 2008). This leaves many organisations with no choice but to register as commercial enterprises with no tax benefits, which makes them susceptible to political crackdowns. Under the new law, LGBT NGOs lose the only funding they could previously get—that coming from their transnational partners. As these groups continue to receive funding from overseas organisations unregistered in China, and thus remain 'illegal', they are put in even more danger. This could be seen, for instance, on 9 January 2019, when, with no official reason given, the Guangzhou Civil Affairs Bureau announced a list of 'illegal organisations' (非法组织) to be banned from the city. For the first time in the country, two organisations working on LGBT issues were listed.

Illegalisation is at once material and symbolic. By making NGOs that do not comply with official mandates illegal, the Party-State sends a strong signal to the rest of civil society about the limits of

what is permissible under its rule. This divide-and-conquer strategy works well to further disaggregate and demoralise the NGO community. NGOs become hesitant to voice oppositional opinions or organise collectively when other organisations face danger or harassment. Meanwhile, local governments take advantage of NGOs' fears and their desire to survive, turning them into apolitical entities fulfilling governmental welfare services at a low cost. In recent years, several LGBT groups have successfully turned themselves into social work organisations working on adolescent and community issues. These mainstream topics enable them to apply for government funding and programs. Altering their mission has been painstaking, but their ultimate plan is to secretly integrate concepts of gender diversity in the work they do.

NGO work is greatly devalued by local governments, as they expect these organisations to perform to the fullest with the least amount of monetary compensation. NGOs strategically abide by these unfavourable conditions because they regard it as the first step towards accessing rich government resources and gaining approval at a later stage. As the political spaces keep shrinking, these tactics are being reevaluated by their fellow LGBT activists. Instead of suggesting that these organisations have been coopted by the government, LGBT activists are also experimenting with other strategies that they see as viable paths to ensure the survival of their groups in today's China—for instance, turning LGBT NGOs into social enterprises specialised in market-oriented products such as LGBT-friendly psychological training courses. However, it is still too soon to evaluate whether these approaches will enable LGBT NGOs to survive and continue their founding missions.

Towards a Politics of Care

Chinese LGBT NGOs have come a long way, their journey fraught with tensions due to unequal transnational collaborations, hostile state interventions, and internal splits. Informed by Euro-American

identity politics, mainstream LGBT activism in China actively negotiates with the Chinese national constructions and ideals of family and normativity, conjuring up pragmatist politics of social tolerance and acceptance, as well as a reformist approach aligned with their Western counterparts, including marriage equality campaigns and other human rights advocacy efforts. In such a context, the widely discussed issues of '*tongqi*' (同妻), which is the practice of gay men tricking heterosexual women into marriage (Zhu 2018), and cooperative marriage (形式婚姻), which is a negotiated heterosexual marriage performed and practised by gay men and *lalas* (Engelbrechtsen 2013; Kam 2013; Wang 2019), are regarded as legacies of the underdevelopment of the Chinese queer community, which would be ameliorated as long as the rights of queer people were guaranteed by the state.

This linear and developmental mindset still haunts Chinese queer people in their attempt to 'catch up' with 'the West'. As an activist and practitioner in urban-based LGBT activism for more than 10 years, I consider neither the reformist rights agenda nor the inclusion of LGBT rights in the new 'Chinese Dream' to be the ultimate answer for queer people in China, though both steps are very much needed and commendable. Critical analysis of the NGO-isation process, the human rights projects, as well as the gendered troubles prevailing in the sector requires expansive imaginations of social movements that are centred on community care. Other than prioritising economic and political notions of precarity, meditating on the affective dimensions of social movements foregrounds the intimate and felt experiences of activism. More often than not, this tells a richer story of why activism does or does not reach people's hearts, why sexual harassment, labour disputes, burnout, and trauma remain very much silent topics in the activist community, and the necessity of investing in alternative imaginations of queer politics under precarious conditions. ■



The Yirenping Experience

Looking Back and Pushing Forward

Lu Jun. PC: Yirenping.

LU Jun

The Beijing Yirenping Centre was one of the most remarkable grassroots nongovernmental organisations (NGOs) to emerge in China during the Hu and Wen era. Through an innovative mix of strategies, including legal litigation, public advocacy, and performative arts, the centre was able to promote significant policy changes in its field of operation—that is, anti-discrimination—before being shut down at the onset of the Xi Jinping era. We asked Lu Jun, the co-founder and one of the main forces behind the organisation, to reflect on the Yirenping experience and what it means for the future of Chinese civil society.

The Editors

One day in November 2006, in the meeting room of a human rights NGO in the west of Beijing that was filled with winter sunshine, I had a brief meeting with two AIDS rights advocates and a human rights lawyer to discuss initiating a legal aid and rights advocacy organisation in the field of public health. At that time, I was an active online advocate for the rights of hepatitis B carriers. I was excited about the establishment of such an organisation, but also worried about the future development prospects and potential political risks. Today, when I look back at the fruitful first seven years of the Beijing Yirenping Centre (北京益仁平中心, BYC) and the following seven years in which colleagues were frequently arrested and our offices were raided by

the police one by one, I cannot help but reflect on the fact that this organisation's history—marked by an uneasy start, subsequent great achievements, and eventual repression—can be seen as the epitome of the times. We started our work in the era of the awakening of civil rights consciousness, and then found ourselves increasingly silenced as the people in power started to turn back the clock to a time in many ways reminiscent of the Cultural Revolution.

Fighting against Discrimination by Legal Means

After the establishment of the BYC, we quickly decided that our work would focus on the promotion of an anti-discrimination rights movement by legal means. We then gradually expanded our anti-discrimination work from public health fields such as hepatitis B, AIDS, haemophilia, and diabetes to physical appearance, disability, women's rights, LGBT rights, and household registration (户口).

At the end of 2013, the BYC had been in existence for seven years. One morning, I received a web link from a colleague and opened it. It was a list of candidate cases for the '2013 China Top Ten Public Interest Litigation Selection' organised by the media and academic institutions. Among the 28 candidate cases, legal aid cases handled by my colleagues accounted for 13—nearly half! News of these cases, widely spread through mass media and social media, had apparently successfully attracted public attention. At that time, the BYC's tactics, strategies, and principles in policy advocacy seemed to have become a classic model in the Chinese NGO community.

Legal litigation was a strategic choice for us. Under the rule of the Chinese Communist Party (CCP), the police do not allow people to express their demands through assemblies, demonstrations, strikes, and so on, and there is no opposition party or independent parliamentarians to assert these rights in the legislature. NGOs have few ways to

have their voices heard by the public and those in power. Fortunately, legal proceedings are allowed. They are conducted in accordance with rules set by the authorities themselves, and they are usually conducted in open procedures. Ordinary people can attend trials and reporters can interview all parties and report the whole process of litigation. Chinese civil society gradually realised that litigation can be used to publicly express their demands, create impact, and promote the rule of law and public policy changes. However, litigation requires specialised legal skills and labour costs. For most individuals, the threshold is high. Professional organisations like the BYC can fully utilise their professional and human resource advantages and make changes through public interest litigation.

In each lawsuit, the BYC always tried its best to create high impact. Specifically, we organised various activities outside the court to attract the attention of people from all walks of life and to get media coverage. For example, we regularly held academic seminars, issued research/survey reports, mobilised the related vulnerable community to send joint letters to the defendant and the court, submitted legislative proposals to the legislature, and conducted performance art (行为艺术) activities outside the court during court sessions. We used to describe this strategy as 'the crucial effort is outside the court' (工夫在庭外)—an expression based on a well-known verse from an ancient Chinese poem: 'the crucial effort is outside the poem' (工夫在诗外).

Our work on hepatitis B discrimination offers many successful examples of this approach. Two cases come to mind. The first case occurred at the end of 2006, when Hewlett-Packard's foundry Calcomp (Suzhou) Co. Ltd, in Jiangsu Province, fired 22 employees because the company's mandatory annual physical examination found them to be hepatitis B positive. Three of these employees filed a lawsuit with the legal assistance of the BYC on 17 May 2007. In August 2007, to support the three victims of employment discrimination, more than 5,000 hepatitis B carriers jointly sent a letter drafted by the BYC to Hewlett-Packard, requesting that the company terminate its cooperation with Calcomp, due to its severe discrimination against hepatitis B carriers. This joint

letter-writing action was reported by the *Beijing News* (新京报), *Public Welfare Times* (公益时报), *Oriental Morning Post* (东方早报), *Jiangnan Times* (江南时报), and other media. This action not only effectively attracted public attention and contributed to policy and legislative changes, but it also successfully protected and won compensation for the victims. In October 2007, Hewlett-Packard issued a written response, in which they stated that on hearing about the situation, they had immediately contacted the supplier and begun to investigate. Shortly after this, the plaintiffs and defendant of the lawsuit reached a settlement following negotiation and the three plaintiffs received satisfactory compensation.

The second case occurred in 2010, when Great Wall Motor Sales Co. Ltd, in Baoding City, Hebei Province, conducted hepatitis B testing during its annual physical examinations of staff. The company then forbade those detected as hepatitis B carriers from eating meals in the company's dining halls and dismissed those who did not conform. A victim of this discrimination filed a lawsuit. On 19 August 2011, two BYC staff travelled to Hong Kong, where they put on a performance art show at the Great Wall Motor Co. Ltd's office. They held a rice bowl in one hand and a pair of chopsticks in the other. Four Chinese characters were written on the bowl, '我要吃饭'—a phrase that translates as 'I need to eat', but also means 'I need a job'. This performance attracted a large crowd, including newspaper reporters and TV cameras. Subsequently, Hong Kong's *Ming Pao* (明报), *Sing Tao Daily* (星島日報), and other media reported on the protest, and China's Sina.com also reposted the *Ming Pao* report. As in the first case, this performance art aroused public attention about the issue of hepatitis B discrimination and helped the plaintiffs quickly obtain satisfactory compensation.

According to statistics from the BYC, back in 2003, the Chinese central government had at least 15 laws, regulations, and rules related to hepatitis B discrimination, restricting or even denying rights to employment and education of nearly 120 million hepatitis B carriers in China. However, by no later than 2010, most of these discriminatory laws had been revised. Anti-hepatitis B discrimination

lawsuits, most of which involved our organisation, played a primary role in prompting this dramatic change in only seven years.

Performance Art

Some of the approaches mentioned above in the BYC's advocacy toolkit, such as seminars, research/survey reports, open letters, legislative proposals, and performance art, are used not only alongside litigation, but also as stand-alone activities for specific cases or issues. Among these tactics, the one that was developed last, but that has consistently had the largest impact, is performance art.

On 19 February 2012, a post about women's rights soared to the top three trending topics on Weibo: young women in Guangzhou had occupied a men's restroom! Some female college students had entered a men's toilet urging other women to leave the long queues for the women's toilets. They also had put up banners with slogans such as 'More convenience for women, better gender equality' and 'If you love her, don't let her wait!'. It was a rare occasion in which Chinese public opinion ended up focusing on issues related to women's rights. The performance was planned during a BYC-sponsored workshop by a small group of female college students with the purpose to call on the government to increase the proportion of public female toilets. Women spend more time in toilets than men; however, for a long time, women's public toilets in China were smaller than men's, causing women to wait longer than men to use the toilet. This performance art action in Guangzhou immediately caused female students to follow suit in Beijing, Chengdu, Wuhan, Nanjing, and other cities. Shortly afterwards, some local governments revised the design standards for urban public toilets and eventually the central government made similar changes.

In China, the earliest NGOs to use 'performance art' to carry out rights protection and legislative advocacy work were environmental NGOs. The BYC's performance art activities began in 2008, after which the centre vigorously promoted and trained organisations and vulnerable/marginalised



Li Chong (pseudonym), a physically disabled man, holds a self-made, one-metre-square discounted 'train ticket' in Beijing in 2011. PC: Beijing Yirenping Centre.

communities in the use of these techniques. The reason the BYC attached so much importance to performance art was not only because we realised this type of visual art could attract attention and shift public opinion, but also because we believed this small-scale and artistic form of advocacy was a variant of street gatherings, which gave Chinese people the opportunity to exercise a citizen's rights to assembly, demonstration, and protest in a safe manner.

One action that we organised stands out. On the morning of 10 August 2011, Li Chong (pseudonym), a physically disabled man, leaned on crutches and held a self-made, one-metre-square 'train ticket' marked with the word 'discount' at the gate of China's Ministry of Railways. A photo of him holding up the 'ticket' was posted by dozens of media outlets and websites, and Li Chong's story about the difficulties disabled persons faced in riding Chinese trains was heard by people all over

the country. Suppose that people with disabilities were to exercise their rights to assemble, demonstrate, and protest at the gate of a heavily guarded national ministry: this action would undoubtedly be stopped by the police even before it could take place. However, when Li Chong stood at the gate of the Ministry of Railways quietly holding his 'ticket', his voice was heard by hundreds of millions of people.

Bottom-Up Approaches

The BYC was innovative not only externally, but also in its internal organisation. In May 2012, the BYC's board of directors wrote four terms into the organisational charter: equality, rule of law, participation, and inclusion (平等, 法治, 参与, 包容), which accurately summarised the organisational and advocacy principles embodied by the centre over the years. Internally, the BYC stressed diversity by encouraging each project team to form their own unique style, while also supporting employees to run labour unions and anti-sexual harassment committees. Externally, Yirenping supported marginalised groups such as patients, the disabled, sexual minorities, and migrants, aiming to promote a more diverse, more inclusive society.

At the BYC, the mantra was to avoid 'top-level design' (顶层设计) and insist on 'bottom-up' (自下而上) approaches to make changes. In China, most rights violations can be attributed to the monopoly on power of those in authority and the deprivation of people's freedom. At the BYC, we firmly believed that all the actions of NGOs should serve to promote public participation, while enabling the public to reinforce their ability to defend their rights and seek accountability from the authorities. We did not expect the emergence of a benevolent leader among those in power, nor did we advocate the 'strengthening of government supervision and punishment power' to solve social problems. Rather, we continued to integrate and cooperate with vulnerable and disadvantaged groups. For instance, every year we held the National Conference of Hepatitis B Carriers, helped the disabled to establish working groups, mobilised female college



Group photo from an awareness-raising activity on hepatitis B discrimination.



Photo from the 'Occupy Men's Toilet' campaign of 2012. PC: Beijing Yirenping Centre.

students to conduct feminism training in various cities, and encouraged people from marginalised communities to apply for jobs with us.

At the same time, we prioritised the public sector as the target of our advocacy, rather than individuals or the private sector. The public sector is supported by taxpayers and has an obligation to promote public interests. In addition, the public sector is the initiator of many forms of systematic discrimination. For example, to this day, the Chinese Central Government's Physical Standards for Public Servants' Recruitment (公务员录用体检通用标准[试行]) classify people living with HIV as 'unqualified', depriving them of the right to be public servants. We found that there is widespread public distaste for misconduct by those in power. If we prioritise those in positions of authority as the targets of criticism when they do something wrong, it can serve to consolidate social consensus. As for human rights violations by individuals and the private sector, we focused on how the violations were responded to by the public authority. For example, we defended the rights of victims of domestic violence, but our goal was to push public authorities to fulfil their anti-domestic violence

duties; we also defended the rights of those with mental disabilities who were sent to mental hospitals by their parents, but our goal was to push the government to stop the systematic abuse of involuntary commitment (精神病人强制收治).

It was our belief that priority should be given to changing the system, not to changing public consciousness. For a Chinese NGO, it is highly inefficient to attempt to eliminate a type of discrimination by changing public perceptions. This would require large-scale and intensive public education/awareness, but Chinese NGOs do not own the media, or schools, nor do they have the resources to publish books or advertisements. So how can NGOs conduct public awareness programs? Eliminating the public's fear of AIDS and misunderstandings about people living with HIV may take 10 or 20 years through public education. However, removing the government's ban on people living with HIV obtaining a teacher's licence can be achieved within a few years if NGOs can mobilise the community and professionals to work together through legal means and media intervention to create enough pressure on the government. At the same time, this type of action can also promote

China's rule of law. Shortly after my colleagues provided legal aid for four high-impact lawsuits against HIV employment discrimination in the teaching profession between 2010 and 2012, the Government of Guangdong Province removed the HIV testing requirements in the Physical Standards for the Teacher Licence, in 2013.

Finally, in our work we strove to maintain a balance between a critical stance and constructive expression. When we drafted policy advocacy documents and delivered public speeches, we always reminded ourselves that we were monitors and critics of government behaviour. But to break through news censorship and get media coverage, we needed to present ourselves publicly as a 'suggester' (建言者). For example, in response to unnecessary gynaecological medical examinations during the recruitment process for public servants, we publicly issued an open letter to the central government in March 2012, suggesting they amend or cancel the relevant regulations in the Physical Standards for Public Servants' Recruitment. The essence of this letter was to criticise the government's infringement on the physical privacy and personal dignity of female jobseekers, which was causing employment discrimination, but the format and tone were that of a simple 'suggestion letter'.

that although this winter is colder, China's civil society has a more adequate reserve of tools and ideas. We must maintain optimism that one day there will be a more splendid blossoming of a rights movement. ■

Looking Forward

After 2013, the state's violent suppression of the BYC came without warning. Between 2014 and 2019, in four separate crackdowns, nine of my colleagues were jailed and five of our offices were repeatedly searched until they were shut down. The open and formal operation of anti-discrimination NGOs has now become increasingly impossible. However, what we see today is that a set of rights advocacy methods, strategies, and principles that embodied the wisdom and courage of NGOs of that era, as well as the values pursued by that generation of NGO activists, is still being upheld. At the time of writing in January 2021, it is the coldest season of the year. Compared with the winter 14 years ago, we cannot help but say



From Green Shoots to Crushed Petals

Labour NGOs in China

Green Shoots. PC: (CC)
Quinn Dombrowski, Flickr.
com.

Jude HOWELL*

When the Chinese authorities hosted the 1995 United Nations Fourth World Summit on Women, they created opportunities for those in China concerned with the situation of workers to set up independent groups to provide services and counsel on rights. This essay charts the twists and turns of China's labour-oriented nongovernmental organisations from the mid-1990s onwards, identifying three key stages in their growth.

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When China hosted the 1995 United Nations Fourth World Summit on Women, who would have thought it would be a catalytic event in the growth of nongovernmental organisations (NGOs) in China? This meeting of UN representatives from all over the world and activists attending the shadow NGO conference held in Huairou County, Beijing, unleashed a raft of relatively independent women's organisations. With space prised open for Chinese citizens to organise, it also created opportunities for those concerned with the lamentable situation of workers to set up independent groups to provide services and counsel on rights. In the decades since this monumental event, China's labour NGOs have been subject to not only harassment and repression,

but also governmental overtures towards them to cooperate in the provision of welfare services.

This essay charts the twists and turns of China's labour NGOs from 1995 onwards. It identifies three key stages in their growth: first, the period from 1995 to 2002, when the first seeds of labour NGOs were sown; second, the decade from 2002 to 2012, which was marked by China's entry into the World Trade Organisation (WTO) and its strategic move to 'go global'; and finally, the current period under President Xi Jinping during which labour NGOs have faced acute repression.

Green Shoots (1995–2002)

Though NGOs, often semi-governmental, began to develop from the mid-1980s onwards, China's hosting of the UN's Fourth World Summit on Women in 1995 catalysed the rapid growth of more independent women's organisations. Until that point, the strict 1989 Regulations on the Management of Social Organisations had stymied the growth of NGOs, and those that existed were in any case mainly commercial, industrial, and professional associations. Given international sanctions after the tragic events in Tiananmen Square on 4 June 1989, the government was keen to restore international relations. This grand UN meeting provided a pivotal moment for China to shed its pariah status internationally.

Not only did it open up opportunities for women to organise independently of the All-China Women's Federation (ACWF), but also it created an opening to organise for those with other concerns such as labour issues. Some of the first labour NGOs, as they came to be known, grew out of the ripples flowing from the UN summit. Astute activists capitalised on the implicit licence to establish NGOs and set up organisations relevant to female migrant workers. Journalists, lawyers, and academics leveraged their positions and contacts to create new organisations addressing migrant workers' rights and issues. Hong Kong academics and activists also used these openings to start organisations offering services for female migrant

workers. International organisations such as aid agencies and foundations played a vital role in promoting concepts such as gender equality, facilitating international links, exchanges, and visits, offering advice on organisational development, building networks, and providing small funds for activities. Through these experiences, female activists and academics, as well as international organisations, accumulated contacts, knowledge, networks, and connections with sympathetic government officials (Howell 2003). New ideas, approaches, contacts, and international awareness began to extend beyond gender inequality concerns to other issues.

In the late 1990s, there was but a handful of labour NGOs, mainly concerned with female migrant workers. Perhaps the most well-known of these were the China Working Women's Network in Shenzhen, established by a group of concerned activists and academics in Hong Kong, and the Female Migrant Workers' Club in Beijing, which was initiated by a prominent female journalist. With good connections to the Party-State, these women were able to sustain these groups despite periods of government harassment and suspicion. However, a further tidying up of the regulations governing social organisations in 1998 curtailed any substantial growth or development of NGOs. Indeed, many of the existing NGOs were in a state of limbo, neither banned nor registered due to the strict criteria for registration and the reluctance of government departments to sponsor them, as required. It was with China's entry into the WTO in 2001, and the subsequent rapid globalisation of China's economy and society, that labour NGOs began to proliferate and blossom.

Blossoming (2002–12)

Several interlinked factors underpin the proliferation and blossoming of labour NGOs from 2002 to 2012. These include China's entry into the WTO in 2001, a change in leadership, the growing presence of international organisations, and the lameness of the All-China Federation of Trade Unions (ACFTU). At the end of the 1990s,

there was just a smattering of labour NGOs in China, mainly located in Beijing, Shenzhen, and Guangzhou. By 2012, estimates of labour NGOs across China varied from 40 to 100—precise statistics were not available because most were not registered. A key factor enabling the growth of labour NGOs was China's entry into the WTO in 2001. This not only opened China to more foreign investment and trade, but also spurred Chinese firms to 'go global' and seek investment abroad. Through these expanded economic relations, travel opportunities for government officials and ordinary citizens increased. There was more exposure to international ways of doing things, whether economically, culturally, or politically. Personal connections developed between businesspeople, academics and students, NGOs, labour activists, and trade unions, seeding partnerships, exchanges, and joint initiatives.

WTO entry coincided with a shift in the types of NGOs that were emerging. By now the social consequences of economic reforms were becoming more evident. This was soon mirrored in the growth of NGOs concerned with social issues and marginalised groups such as autistic children, migrant workers, or people living with HIV/AIDS. The Wenchuan earthquake of 2008 marked a turning point in state-NGO relations as the Party-State began to recognise the contributions that NGOs could make in disaster relief and in addressing social issues. Nevertheless, difficulties remained in gaining legal status through registration, and many groups affiliated with other organisations, such as research institutes or the ACWF, registered as companies or not at all. By 2012, unregistered groups were reported to far outweigh those that had registered.

The year 2002 also heralded a change in leadership, with Hu Jintao as Party General Secretary and Wen Jiabao as Premier, replacing, respectively, Jiang Zemin and Zhu Rongji. Like all leaders, they sought to put their own mark on their period in office. Central here were notions such as 'harmonious society' (和谐社会) and 'people-centred development' (以人为本), which subtly acknowledged the growing inequalities in China and 'the three rural issues' (三农问题), which signalled a move to address rural grievances. This rhetoric

pointed to a leadership that strove not only for continued growth but also to improve the lot of those not benefiting as much from the reforms. It was a time of greater openness and experimentation, enabling new forms of government-NGO relations to develop, including those with labour NGOs. The outward thrust of the economy and society created more space for international institutions that provided aid, support, and opportunities not only for government officials but also for Chinese scholars and NGOs. The International Labour Organisation, for example, regularly discussed labour issues with businesses, the ACFTU, and the government, and also engaged with the emerging labour NGOs. The support of international NGOs, bilateral development agencies, and foundations was pivotal to the growth of some NGOs in China, especially those with a rights orientation.

Given Hong Kong's proximity to Guangdong Province, Hong Kong NGOs also began to enter China to establish new labour NGOs or partner with emerging ones (Chan 2013; Xu 2013). Guangdong Province was home to the greatest concentration of foreign investment and attracted swathes of migrant workers to labour in the export-oriented factories. Working conditions in China were already under the spotlight in the mid-1990s, leading to a raft of new labour laws to protect workers. But with this surge in export production, there was growing concern within China and abroad about the sweatshop conditions of labour. While in the early years of the millennium there was a greater concentration of labour NGOs in Guangdong Province, over time, these organisations began to sprout across the Yangzi River Delta and in other Chinese cities such as Hangzhou, Chengdu, Shanghai, Beijing, and Chongqing. The types of issues that labour NGOs took up varied according to the nature and degree of labour activism, the orientations of their founders (such as their interests in gender, law, journalism, occupational health, and so on), the type of enterprise (such as state, private, or joint venture), and the industrial sectors specific to certain geographic locations. The field of labour studies in China expanded as researchers analysed labour relations, while trade unions and labour NGOs abroad observed the rising number

of protests and strikes and sought connections with activists and researchers. Furthermore, as labour NGOs raised awareness about labour laws, workers increasingly sought redress through mediation committees and courts (Franceschini and Lin 2019). Though most workers tended to vote with their feet, a growing minority was ready to voice their concerns, lobbying the Labour Bureau and local government officials, and leading workers to action and organisation.

As the official trade union, the ACFTU, proved ineffective in coming to the defence of workers, labour NGOs found fertile soil on which to grow. Though the ACFTU had a monopoly on the representation of labour, this was largely confined to state-owned enterprises (SOEs), whose workers enjoyed better working conditions, at least until SOE reforms in the mid-1990s. The ACFTU functioned as a transmission organisation, mediating between workers and government (Harper 1969). In practice, it was an appendage to the state, limiting itself to benign tasks such as arranging entertainment and rarely taking the side of labour against capital and local governments. In any case, it lacked the skills, desire, and capacity to bring migrant workers into its fold. In the new foreign-invested factories, the head of the trade union was often the owner of the factory or a relative of the owner. Under these conditions, workers had little incentive to seek ACFTU support. As most surveys revealed, workers viewed the ACFTU as ineffectual.

Having outlined some of the factors driving the development of labour NGOs at the beginning of the millennium, it is important to understand some of their basic features. There was considerable variation across NGOs in terms of size, activities, goals, origins, and relations with government. Most were small in scale, with few paid staff, relying on volunteers who were students or migrant workers (Xu 2013). Some were founded by academics, others by former workers, and some by lawyers. Their activities included providing services, such as legal counselling, secondhand clothes shops, libraries, hotlines, awareness-raising about law and labour rights, proffering advice in disputes, assisting workers injured in the workplace, and organising workers through choirs and cultural

activities (Froissart 2011). Some also engaged in advocacy work, seeking to influence government and trade union policies. Whether offering services or conducting advocacy, labour NGOs couched their activities in a language of rights that echoed the official discourse of the law. By appropriating the official legal language of rights and interests, they could protect themselves from potential accusations of seeking to undermine the regime.

Labour NGOs were different from independent trade unions in that they did not seek to become membership organisations that took up workers' grievances with management in the workplace. Compared with the ACFTU, labour NGOs were more innovative and experimental, introducing new ways of approaching and mobilising workers, such as contacting workers in dormitories or organising a mobile bus to provide advice and information on labour issues in industrial sites. Some engaged in corporate social responsibility activities for foreign brands such as monitoring codes of conduct. However, NGOs with transformative agendas insisted on doing this only if they could also undertake training in the factories, which would allow them to raise issues of legal rights and engage in consciousness-raising (Pun 2005). Some labour NGOs also became involved in supporting workers in collective bargaining processes, especially during and after the Honda strikes in 2010 (Zhou and Yan 2020).

Nevertheless, labour NGOs were also controversial among some academics. In particular, Lee and Shen (2011) criticised labour NGOs for being 'anti-solidarity machines'. They argued that many labour NGOs were predominantly concerned with individual workers seeking redress through the law rather than organising alternative trade unions or collective action. Though the criticism was harsh, it also generated debate and perhaps a more measured understanding of the contribution that labour NGOs made in redressing workers' grievances and in shaping a labour movement (Pringle 2018).

During the Hu–Wen period, relations between government and labour NGOs were a mix of ongoing repression, toleration, and occasional collaboration. Repression involved a spectrum of actions, such as detention, physical brutality,

harassment, surveillance, and spot-checks (Franceschini and Nesossi 2018). Labour NGOs were often forced out of their premises, only to relocate elsewhere and face further eviction a few months later (Chen and Tang 2013). However, they were also tolerated by some trade union and government officials who saw the NGOs' activities as providing services for which they lacked the capacity and skills. In some cases, local governments and trade unions even provided some funding to NGOs to deliver services such as legal counselling or support to migrant workers' children. However, there was always a constant drone of repression that rendered the existence of labour NGOs precarious. Indeed, the situation for most labour NGOs would worsen under the new administration of Xi Jinping from 2012.

Crushed Petals

The Chinese Government had long looked on NGOs with considerable suspicion. Yet government officials in the Ministry of Civil Affairs—which was responsible for welfare provision and NGO registration—were increasingly aware of the benefits of NGOs in addressing new welfare needs and filling service gaps. However, the regulatory environment was overly restrictive, preventing the government from capitalising on civil society initiatives. In the Hu–Wen period, pilot programs were launched from 2003 in contracting government service provision to NGOs (Lei and Chan 2018). The risk for government officials was how to achieve this without enabling the expansion of rights-based NGOs and sensitive groups.

It was under Xi Jinping that the strategy of welfarist incorporation was generalised across the country (Howell 2015). In this way, civil society was bifurcated into two distinct strands: service-delivery organisations and rights-based groups. While the government introduced a swathe of regulations enabling NGOs to register more easily and apply for government contracts, it also set about draining rights-based groups of external funding and clamping down on activists in general.

In this way, the government could advance its goals of streamlining the public sector and reforming welfare, while mitigating risks.

To address the risk that purposively fostering the development of a services-oriented NGO sector might also encourage growth of rights-based and sensitive groups, the government used its coercive agencies to clamp down on perceived trouble-makers. 2015 was a landmark year, when security agencies made a sweep of rights-based organisations and activists, including rights lawyers, feminists, dissidents, critical academics, and labour activists. This was followed in late 2016 by the passing of the Foreign NGOs Management Law, which severely constrained the room for manoeuvre of foreign foundations, NGOs, and other external funders, leaving rights-based groups starved of resources.

This strategy of welfarist incorporation took its toll on labour NGOs and activists. While labour NGOs had faced the constant threat of repression, the wave of arrests in 2015 also swept up several prominent labour NGO leaders, lawyers, and labour activists, who were detained and in some cases sentenced to prison. Over the next few years, the leaders of several labour NGOs were detained across the country, leading to the organisations becoming moribund or closing completely. In light of this, other activists and NGO leaders halted their activities, kept a low profile, distanced themselves from foreign actors, and sought alternative sources of income on which to survive.

However, repression was not the only story. Local government and trade union officials continued to court some labour NGOs to apply for government service contracts such as hosting activities for migrant children. Those that did so trod carefully, limiting their activities to the least controversial issues such as afterschool work with the children of migrants, and eschewing rights and advocacy work. Not all labour NGOs chose to take this path, fearing, like NGOs in other fields, that accepting government contracts could compromise their autonomy and goals, while inviting greater control over their organisations. As the trade-offs and uncertainties of contract renewal became evident, the option of government service

contracting became less appealing. For most labour NGOs, it was a question of lying low until the repression lifted or adapting activities towards services funded through other means, and perhaps discreetly fitting in some rights work. Hong Kong labour NGOs also halted activities on the mainland, though maintaining contact and providing advice where possible.

The End of Labour NGOs?

Does this signal the end of labour NGOs in China? In smothering the rights-based work of labour NGOs, the Xi period also brought to a halt any innovation in approaches to resolving workers' grievances, such as collective bargaining with labour representation. Despite this, workers have continued to strike and protest, suggesting that the legacy of past activism has not been wholly lost. The experiences of worker organising and labour NGOs during the Hu–Wen era have left a significant residue of memories, connections, and tactics that can be leveraged for the future. The violation of labour laws and poor conditions of work continue to vex workers, who carry on striking, protesting, or voting with their feet. There is still a place for labour NGOs, which, though different to trade unions, have a role to play in improving worker conditions and building a labour movement. However, this may not be in the immediate future. The restrictions on foreign institutions funding NGOs in China, coupled with the imposition of the National Security Law in Hong Kong, severely constrain the possibilities for international support. Moreover, many labour NGO activists and rights lawyers remain in detention or under surveillance. If political conditions loosen, there may be space for labour support groups to reemerge, but whether they will take similar forms or harbour similar goals to those that operated in the past decades remains to be seen. Nevertheless, the genie is already out of the bottle and cannot easily be put back in. Crushed petals can still become new green shoots. ■



China's Human Rights Lawyers

Rifts and Schisms in an Era of Global Human Rights Backlash

Gao Zhisheng in 2015.
PC: RFA.org.

Eva PILS

The history of China's human rights lawyers has been characterised by rifts and schisms. Whereas in the reform and opening era, human rights defenders diverged on the extent to which their advocacy challenged the Party-State, the system's deep hostility to the very idea of universal human rights, and its willingness to persecute the defenders of such positions, is no longer in doubt. But today's schisms among human rights lawyers also reflect our era's global human rights backlash.

While the ongoing human rights violations in the Xinjiang Uyghur Autonomous Region and the dramatic constitutional collapse of Hong Kong rightly demand most of the attention that the news media, international civil society, and democratic governments can pay to China today, systematic violations of human rights continue throughout the country, and Chinese rights defenders are being persecuted worse than ever (China Human Rights Defenders 2021). To be sure, only a small proportion of the majority population of mainland China is immediately affected by the Party-State's most violent repression. Also, only a tiny number of people are actively resisting the Party-State by holding it to the promises of human rights protection it has made—*inter alia*, in

the People's Republic of China's Constitution, laws, policy statements, and the international human rights treaties to which China has acceded.

Even so, there are compelling reasons to pay attention to the situation of mainland human rights defenders, including human rights lawyers, and to the 'normalcy' of their continued persecution. They are resisting a system that not only has produced deeply disturbing mass state crimes at its territorial periphery, but also increasingly exerts power and influence beyond its national borders. It is all the more important to realise that the history of China's human rights lawyers is one of rifts and schisms, and that today's divisions also reflect our era's global backlash against the intertwined ideas of the international rule of law and the indivisibility of human rights.

The Reform Era: 'Moderates' and 'Radicals'

The marginalisation of human rights lawyers during the reform era laid the foundation for the rifts and schisms we are witnessing in the movement today. Some 20 years ago, China's human rights lawyers began to emerge as a tiny but vocal group of mainly professional lawyers, who insisted on raising the violations of their clients' human rights as part of their legal advocacy. In so doing, they posed political, as well as legal, challenges to a system of governance in which the violation of certain basic rights—including, in particular, the vital protections of criminal procedure—was deeply entrenched.

As a result, human rights lawyers were not only obstructed, persecuted, and punished by the Chinese Party-State; they also encountered significant pushback from within their own professional ranks and social environments. When, in 2006, I decided to investigate the life and work of Chinese human rights lawyer Gao Zhisheng, what intrigued me most was not the lengths to which he had gone in defending the rights of members of the severely persecuted spiritual group Falun

Gong. To be sure, his advocacy was impressive. Gao was among the first human rights lawyers to use the internet to publish an open letter to China's leadership, in which he raised his clients' and interlocutors' horrific torture at the hands of the police and laid the responsibility squarely on the Party-State leadership presiding over a system of governance so utterly lacking in political and legal accountability mechanisms to address these abuses. Only a few weeks after our meeting in Beijing, Gao was himself forcibly disappeared and subjected to extremely brutal torture (Gao 2009).

But while his experiences at the hands of the Chinese Party-State were disturbing and his courage inspiring, what seemed most puzzling was the flak Gao received from people supposedly on his side—including family and colleagues. His family at one point tried to lock him up in their home village, to prevent him from going back to his work in Beijing. Some of his colleagues criticised him for being 'radicalised' (a process analysed by Cullen and Fu 2009). By taking up cases certain to provoke the authorities into cracking down, they said, Gao was jeopardising the process of gradual reform and transition towards the rule of law. These critics talked about staying 'within the law' but seemed curiously reluctant to consider the rights of Gao's clients under law. They also thought that raising the torture issue in a public statement outside the context of specific legal cases was unprofessional, and some considered Gao's criticism of political leaders to potentially be criminal incitement of subversion. Whether or not they were among the 'radical' or 'moderate' lawyers, all had good reason to be afraid of Party-State retaliation (Pils 2007).

The often-unspoken assumption driving criticism of 'radical' human rights defence was that the liberalisation of the political legal system could be expected to come about in the long term, anyway. Implicitly, if not explicitly, political liberalisation was seen as the natural consequence of the decision to reinstitute markets and revive the legal system, which had to operate on rules accommodating a market economy. Sooner or later, this would change China, just as it had changed other formerly socialist systems. The mainstream view therefore saw 'rights activism and cause lawyering

... as subservient to rule of law reform goals', as I wrote at the time, criticising the 'moderate-radical' typology, whereas Gao

acted to help those most in need of defense of their rights. The attitude of lawyers and activists like him accentuates the deep contradictions in China's current legal and political system. Their experience also indicates the limits of possible reform. (Pils 2007: 1212)

So far as their advocacy did not suit the managerial consequentialism of the age, these lawyers were dismissed by the protagonists of the law and development movement—after all, in their confident predictions of economy-driven developments, Marxist and modernisation theories are famously similar (Avineri 1969).

This broadly consequentialist outlook was also common among transnational civil society organisations and international governments interested in promoting rule of law reform in China, with implications that were not lost on the small group of 'radical' human rights lawyers such as Gao. They saw that while the preferred scenario of 'moderate', state-tolerated advocacy leading to gradual liberalisation—famously called 'the soothing narrative' by James Mann (2007)—dominated international interaction with China, their own more confrontational work on the worst abuses, especially when it connected China's human rights problems to the need for political change, would remain marginalised, and international actors would hesitate to support them. The reasons for this were complex but (it seemed) often included transnational actors' very understandable fear of being shut down or kicked out of China. In that, they were not so dissimilar from domestic civil society actors. From the perspective of 'moderates', human rights 'radicals' like Gao were at best naive in their way of handling risks. 'They think I am really stupid [傻]; I recall him commenting, with his characteristic big smile, in our chat in 2006.

In numerous conversations, I had to confront the sense of abandonment and exclusion prevalent among some persecuted human rights lawyers, as they discovered that groups less willing than they

to challenge the authorities on their human rights violations did better when competing for attention, resources, and support from transnational civil society organisations, the United Nations, and so on, for promoting human rights in China. With few exceptions, those international groups that did support human rights lawyers, on the other hand, had trouble connecting to them in meaningful ways. Groups like, say, Amnesty International or Human Rights Watch were, of course, not running offices in China; they were brilliant at drawing attention to abuses, but hardly operated as partners or funding organisations. These groups were also working with a UN system that—from the perspective of some human rights lawyers in China—might be admirable in the ambitions of its human rights treaties but was evidently largely powerless in dealing with oppressive governments. This was evidenced, for instance, not only by China's failure to ratify the International Covenant on Civil and Political Rights, but also—and, more importantly, given its clout within the UN Security Council and Human Rights Council—by its readiness to silence critics within UN human rights mechanisms (Worden 2020; Richardson 2021).

Naturally, the human rights defenders who felt marginalised looked for explanations. Some were attracted to political views that were conservative or right-wing in the domestic politics of liberal democracies, including the United States—views whose scepticism towards globalisation, multilateralism, and international law, often underpinned by the rejection of socialism, may have seemed congenial to their own experience. When right-wing populism gained strength as a political force challenging liberal democracy, as it did with a vengeance in 2016, these leanings were reinforced.

Schisms Today: Right, Left, and Confused

Human rights lawyers today are certainly no less persecuted than when they began to emerge in the 1990s. In the 14 years since his 2007 enforced disappearance, Gao Zhisheng, for example, has suffered horrific cruelty (but never, to my knowl-



Eva Pils and Gao Zhisheng
in 2010. PC: Eva Pils.

edge, has he fully backed down) (Law Society of England and Wales and Lawyers for Lawyers 2021). However, while human rights lawyers remain very marginalised, their numbers have risen; they are far better networked domestically and, on the whole, also better able to reach out to international organisations and governments. This is mainly because, in the long decade from its emergence until the power transition from Hu Jintao and Wen Jiabao to Xi Jinping—which some argue marked the end of the reform era (Minzner 2018)—the human rights lawyer movement has gained access to new forms of communication technology that have allowed lawyers to interact and collaborate in entirely novel ways (Halliday and Liu 2016; Pils 2014).

The relative empowerment of these groups—even though it remained largely at the level of communicative power and, after the early 2000s, rarely translated into significant victories in the legal process—also made them more of a target for the repressive, controlling efforts of the Party-State, which kept expanding its arsenal. Legislative reforms included changes to the criminal process,

including the creation of ‘residential surveillance in a designated location’—a mechanism that institutionalised enforced disappearances—and the creation of new offences of violation of courtroom ‘order’, which effectively targeted lawyers engaging in forceful defence of their clients (Pils 2018). More sophisticated methods of persecution ranging from digital surveillance all the way to incarceration, forced drugging, and physical torture were used against human rights lawyers in ever greater numbers. In numerous cases, such methods were used on vulnerable clients’ lawyers, as well as on those lawyers’ lawyers, and the lawyers’ lawyers’ lawyers, and so on.

A sweeping crackdown, initiated in the summer of 2015 with the ‘709 Incident’ (709维权律师大抓捕事件), signalled to domestic and international audiences that repression would no longer be used in secret, but, rather, the Chinese authorities were willing to face down human rights-based international criticism. Plainly innocent ‘culprit’ lawyers were then put on display in show trials, in which they duly expressed guilt and remorse for having opposed the Party, while the government created

new rules for the criminal process targeting advocates (Fu 2018; Pils 2018). Due to its severity, the crackdown was somewhat effective, at least in taking those detained ‘out of action’ for a while and in intimidating many others. It also led to rising numbers of people going into exile, where they strengthened the oppositional Chinese diaspora.

At the same time, the liberal-democratic global order, which had seemingly allowed its protagonist nation-states to benefit from engagement with China while claiming this engagement was bound to help China reform, started to erode visibly. Following his election in 2016, US President Donald Trump’s populist and often erratic policy decisions rightly alarmed international human rights organisations, which warned against Trumpism’s corrosive effects on democracy and human rights in the United States and beyond (see, for instance, Roth 2017).

Among human rights defenders in China, however, Trump and Trumpism have brought to the fore—and exacerbated—a schism that pits conservatives, supporters of anti-international sovereignty, against internationalists, and libertarians against liberal egalitarians. What Lin (2020) has called ‘beaconism’ is likely to have played a role in wider Chinese netizens’ support for Trump (see also Li and Teng’s conversation in the present issue). But the intellectual roots for such support lie in the reception of libertarian thought from the 1980s onwards, when Hayek was popular, but Rawls was not (or not really). For the libertarian group, equality is in deep conflict with liberty—a concept sometimes extended to the idea of collective national self-determination; in their view, ‘social democracy’ or ‘democratic socialism’ entailing coercive redistribution for, *inter alia*, the purpose of realising socioeconomic human rights, raises the spectre of dictatorship, as does banning certain kinds of speech, such as racist hate speech. These deeply held beliefs render the ‘white left’ (白左)—a generally pejorative term used to designate those who uphold a supposedly Western conception of egalitarian progressive-liberal values—inherently suspect (Zhang 2017). The question, as constitutional law professor Zhang Qianfan (2020) pithily puts it, is whether the Western left is in fact the totalitarian

left (西左是极左吗)? From the perspective of the Trumpists among China’s libertarian lawyers, the answer is quite clearly in the affirmative.

The positions outlined here certainly have not gone unopposed among their formerly equally ‘radical’ colleagues. Numerous human rights lawyers—including but not limited to those whose own work focuses on socioeconomic rights, equality, and antidiscrimination efforts—have been sharply critical of certain right-wing views. After the 2020 election in the United States, for example, some Chinese human rights defenders including several lawyers staged a public online debate in an attempt to address their differences through reasoned argument (Bowen Press 2020). In this online workshop, China-based lawyer Lai Jianping expressed enthusiastic support for Trump because he felt a Trump presidency would have been most favourable to the promotion of constitutionalism and democracy in China. Lawyer Sui Muqing (also in China) praised Trump’s ‘conservative liberalism’, his ‘America first’, anti-globalisation, and anti-illegal immigration policies, characterising the last as ‘beneficial for preserving America’s main ethnicity’ and adding that should America change from its current majority-white status, ‘I trust not too many people will still want to emigrate there’. Sui also claimed to be most impressed by Trump’s rejection of ‘political correctness’.

Opposing these views, China-based lawyer Tang Jitian pointed to Trump’s undermining of judicial independence, media scrutiny, and other essential features of US democracy to argue that his presidency could only be bad for the cause of human rights and indeed even raised the spectre of dictatorship taking hold in the United States. Lawyer Liu Shihui, now in the United States, characterised Trump as a ‘latent autocrat’ merely constrained by the US constitutional system, adding that any claim that Trump could more effectively stand up to (autocratic) China was defeated by China’s steady concentration of government power, evidenced by the ‘concentration camps’ in Xinjiang—which, as lawyer and academic Teng Biao pointed out, Trump had on several occasions endorsed—and the imposition of the National Security Law in Hong Kong.

In some ways, debates such as these are evidence of China's oppositional groups' deep desire to engage in a democratic process not available to them within the domestic Chinese system. They also signal that the political opposition—oppressed domestically, marginalised in exile—is highly aware of the degree to which China's affairs are intertwined with global political trends.

But the emergence of a hard right-wing from within the community of human rights lawyers has significant further implications. Supporters of right-wing populism who express beliefs inimical to the very idea of human rights—such as racist beliefs—may no longer even qualify as human rights defenders, if we take the United Nations' definition with its explicit reference to 'a belief in equality and non-discrimination' seriously (OHCHR 2004). This does not mean their advocacy, resistance, and persecution are no longer of concern to the international human rights community, but it does indicate that their opposition to the current system is driven by political ideals far removed from the liberal-democratic norms and institutions of 'international justice' that they once appeared to endorse (Vinjamuri 2017).

Implications of a Globalised Schism

Reviewing the evolution of human rights defence in China since the 1990s, it can seem as though China under Xi Jinping had shifted, but not fundamentally changed: China has remained a repressive one-party system, albeit one now descending to new lows of criminality—for example, in Xinjiang. But the realisation that China's political system will not change as expected with the transition paradigm long dominating liberal democracies' engagement with the country, alongside a global third wave of autocratisation (Lührmann and Lindberg 2019), democratic retrogression (Huq and Ginsburg 2018), and backlash against the very idea of human rights (Vinjamuri 2017), has altered the dynamics of these lawyers' interaction.

Considered in this context, it cannot be a surprise that today's debates among Chinese human rights lawyers are no longer about how to get to an agreed end goal. When human rights lawyers first emerged during the reform era, they and many of their fellow lawyers, legal scholars, and even Party-State officials could generally agree on the need for liberal-democratic transformation, even though not all were explicit about this destination. Today, human rights lawyers are to some extent replicating the schisms of those liberal democracies whose very nature is now threatened; their debates are increasingly also about what should be the end goal of their advocacy and resistance. This trajectory evokes that of former liberal dissidents in countries now governed by populists, such as Poland and Hungary (Applebaum 2020). In their rejection of substantive equality, self-described 'conservatives' among Chinese human rights lawyers today sometimes seem to cultivate the fantasy of a twentieth-century-style free world that must be defended against its leftist enemies (and which might still come to their rescue). But the promise of freedom on populism's anti-pluralist and exclusionary terms is illusory and leads to democratic collapse (Müller 2016). Ironically, therefore, some of China's most prominent oppositional lawyers are attracted to political leaders who reject the idea of indivisible and interdependent human rights on which so much of these lawyers' own work in China has been based. ■



Going Global

The International Endeavours of Chinese NGOs

Ying WANG

In recent years, Chinese nongovernmental organizations (NGOs) have been branching out of China with donations and projects mostly in the fields of humanitarian assistance, education, and healthcare. China's rapid economic development, increasing awareness among Chinese public opinion, policy support in the context of the Belt and Road Initiative, growing demand for projects that alleviate the environmental and social concerns related to China's overseas investment, and increasing international exposure have all driven this phenomenon. However, there remain several key challenges.

On 4 August 2020, a large amount of improperly stored ammonium nitrate exploded at the Port of Beirut, killing at least 178 people, injuring more than 6,500, and leaving 300,000 homeless (WHO 2020). In response, the Beirut office of the Peaceland Foundation (平澜公益), a Chinese organisation founded in 2018 that already had a presence in more than 10 countries, purchased 600 sets of emergency food supplies and, within two days, delivered them to affected Lebanese citizens (Peaceland Foundation 2020). Meanwhile in Africa, Binbin Yin, a co-founder of the Dream Building Service Association (筑梦公益), a nongovernmental organisation (NGO) established by Chinese residents in Kenya, was busy preparing a project to deliver free meals to poor African students and their families affected by the COVID-19 pandemic. The project was implemented in partnership with Free Lunch Interna-

Children who have received assistance from the Free Lunch International show support to Wuhan. PC: Free Lunch International official WeChat account.

tional (国际免费午餐), an international extension of the well-known Free Lunch for Children (免费午餐) project in China—an initiative dedicated to providing free lunches to schools in impoverished areas of the country.

Six years ago, when I was working for the Clinton Health Access Initiative (CHAI), an international nongovernmental organisation (INGO) operating in more than 30 countries with US\$192 million of revenue in 2019 (CHAI 2020), I was just starting to follow the global expansion of Chinese NGOs. At that time, I wondered whether I would ever see a Chinese INGO of a similar size to CHAI in the future. Even though they are still quite small compared with my then employer, CHAI, the organisations in the snapshots above are already of a variety and scale that I could not have imagined back then.

The Emergence of Chinese NGOs as Global Actors

The international exposure of Chinese NGOs is not a recent phenomenon. Starting in the late 1970s, China reopened its doors to INGOs and other international organisations, which have since supported the development of a large number of Chinese NGOs. What is new today is that we are starting to see Chinese NGOs branching out of China and acting as donors and partners to organisations in developing countries. The first substantial international humanitarian activity by Chinese NGOs was in response to the 2004 earthquake and tsunami in the Indian Ocean. Back then, the Red Cross Society of China (中国红十字会) and the China Charity Federation (中华慈善总会) donated US\$90 million for assistance to the victims (Xinhua 2007). At the same time, the China Foundation for Poverty Alleviation (中国扶贫基金会, CFPA)—today China's most internationally active foundation—made its first major international donations (Deng 2019). Another natural disaster in Asia, the 2015 earthquake in Nepal, stimulated a new round of international

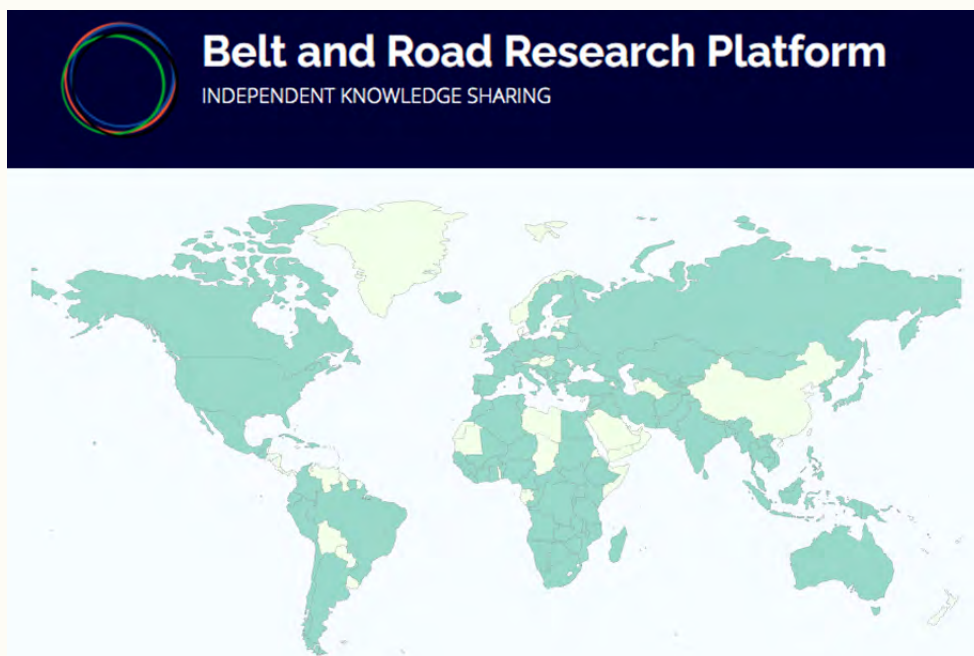
engagement by Chinese NGOs. Many Chinese foundations made their first international forays in response to this tragedy, as did many volunteer rescue groups, and a few Chinese NGOs stayed on in Nepal, providing post-earthquake reconstruction support and other services. During the COVID-19 pandemic, Chinese NGOs, especially large corporate foundations, are actively making international donations. For instance, the Alibaba Foundation, together with the Jack Ma Foundation, has donated more than 100 million medical masks and millions of COVID-19 polymerase chain reaction tests to 150 countries, as well as to the World Health Organization (WHO) (Ma 2020).

In addition to humanitarian donations and assistance, Chinese NGOs are quickly making their mark in providing development aid. The *Chinese NGO Internationalization Database* I have developed for the Leiden Asia Centre includes (as of March 2021) more than 700 items of international donations and projects from 130 Chinese NGOs across more than 100 countries (Wang 2021). Of 294 development projects noted, 70 per cent are in the education and healthcare fields, followed by the environment and sustainability, sanitation, and livelihoods. Most projects involve traditional charitable activities—that is: donating money and goods, such as school supplies, scholarships, free lunches, and medical supplies (39 per cent); building infrastructure, such as hospitals and schools (26 per cent); providing medical assistance, such as free cataract surgery (17 per cent); volunteering (5 per cent); and training (5 per cent). The remaining areas of action, which are mainly in the environment and sustainability field, include policy advocacy and wildlife preservation. Some of the most sizeable overseas projects are extensions of initiatives that already existed in China, such as the 'Fraternity Home' (博爱家园), a project of the Chinese Red Cross Foundation (中国红十字基金会, CRCF) promoting community governance and disaster prevention in urban and rural communities, and the 'Panda Pack Project' (爱心包裹), a project of the China Foundation for Poverty Alleviation that donates schoolbags and stationery to children in underdeveloped areas in China. Such initiatives are especially prevalent among government-organised NGOs (GONGOs).

In comparison, the projects of independent NGOs are more diverse—for example, the Peaceland Foundation has participated in patrolling a wildlife reserve in Zimbabwe, as well as in a landmine detection project in Cambodia. The Global Environment Institute (永续全球环境研究所, GEI) has advocated for better forest conservation and sustainable investments in Africa and Southeast Asia. The Paradise International Foundation (桃花源生态保护基金会) has participated in a campaign in the Virunga National Park in the Democratic Republic of Congo to encourage the planting of bamboo to combat deforestation and set up a 10-year African Ranger Awards program with the Alibaba Foundation to honour wildlife rangers in Africa. These independent NGOs have contributed significantly to the diversity of Chinese NGOs,

although they are usually smaller entities than GONGOs such as the CFPA, with only short-term or sporadic activities. Overall, based on Korten's (1990) categorisation of NGO development, most Chinese NGOs are considered to be in the first (relief and welfare) and second (community development) generations of development, with a few operating in the more 'developed' third generation (sustainable systems development). So far, none has reached the fourth generation—that is, people's movements.

It is hard to estimate total donations or revenue, but we can get a sense of scale from some of the largest Chinese NGO projects. CFPA spent RMB40 million (about US\$6.2 million) on its overseas Panda Pack project (爱心包裹), delivering school supplies to children in more than 10 countries in



The *Chinese NGO Internationalization Database* relies on a systematic and intensive search through various online sources, including the China Foundation Centre database, official sources such as NGOs' websites, WeChat accounts, annual reports, and media articles, to geolocate Chinese NGOs' international humanitarian and development assistance projects or donations implemented between 2005 and 2020. It captures donations/projects from 130 Chinese NGOs across more than 100 countries globally. More information can be found at: www.beltroadresearch.com/ngo-map.

2019 (CFPA 2020). The Chinese Red Cross Foundation's Silk Road Fraternity Fund (丝路博爱基金), which is specifically dedicated to international development projects in countries that have joined China's Belt and Road Initiative (BRI)—for instance, sending medical teams to Pakistan and providing free surgery for children with cataracts or congenital heart disease in Mongolia—recorded annual expenditure of RMB13 million (US\$2 million) in 2019 (CRCF 2020). While substantial for China, none of these projects even comes close in size to that of established INGOs, such as Save the Children or Plan International, which reported program expenditures of US\$704 million and €679 million, respectively, over the same period (Plan International 2020; Save the Children 2020).

Regardless, the international involvement of Chinese NGOs has evolved from pure donations into permanent overseas operations. Several established Chinese NGOs have registered and established offices overseas, such as the Yundi Behavior and Health Research Centre (云迪行为与健康研究中心) in Cambodia, the Ruili Women and Children Development Centre (瑞丽市妇女儿童发展中心) in Myanmar, and Ramunion (公羊会) in Ethiopia. CFPA, which has operations in Nepal, Myanmar, and Ethiopia, is a good example of how a Chinese NGO has developed internationally. The organisation started making international donations in 2005 and, after 2008, began to temporarily send its staff to recipient countries for project implementation—the second stage of development. Since 2012, CFPA has been operating at the third stage of long-term establishment in recipient countries, including establishing project offices and hiring local employees (Deng 2019). However, local registration and permanent establishment in a host country remain rare for Chinese NGOs. The involvement of most Chinese NGOs is still limited to making donations and working on a temporary basis.

In terms of geographical distribution, China's neighbours have benefited from approximately half of all projects (Wang 2021). According to various Chinese NGOs I have interviewed, convenience and cost-effectiveness are two key reasons for concentrating projects in nearby countries, given the resource constraints that NGOs usually face.

Addressing cross-border issues is also a priority for NGOs, such as wildlife protection along the border between China and Myanmar. According to my database, overall, Southeast Asia, South Asia, and East Africa are top regions for Chinese NGO assistance, comprising 34 per cent, 26 per cent, and 15 per cent, respectively, of total projects before the COVID-19 pandemic. Nepal, Myanmar, Cambodia, Laos, and Ethiopia top the list of recipient countries.

The Challenges to the Internationalisation of Chinese NGOs

Chinese NGOs face many challenges working internationally, such as inadequate regulatory and policy frameworks, insufficient funding, and limited management and operational capabilities (see, for instance, Deng 2013, 2019; Huang 2011; Li and Dong 2018; Yang 2013). All of these challenges are characteristic of an emerging field in which regulatory, financial, and human resource infrastructure are not yet fully developed (Wang 2020).

Lack of government support is often discussed among Chinese NGOs and scholars (Deng and Wang 2015; Li and Dong 2018), as there is no regulation specific to Chinese NGOs operating internationally. The concept of Chinese NGOs operating internationally is just as new for Chinese regulatory bodies as it is for the NGOs themselves. For example, several NGOs I interviewed mentioned that it took the Civil Affairs bureaucracy a long time and much explanation to accept foreign invoices during their annual checks on NGOs' accounts. In 2016, the General Office of the Central Committee of the Chinese Communist Party (CCP) and the General Office of the State Council issued the joint 'Opinion on Reforming the NGO Management System to Promote Healthy and Orderly NGO Development' (关于改革社会组织管理制度促进社会组织健康有序发展的意见). The opinion—which, though important, is not a regulation—includes some regulatory guidance, such as 'if it is necessary to establish [representative]

offices outside China, approval must be obtained from the authority in charge or the administration in charge of foreign affairs'. This indicates that the Chinese state is aware of the challenges, and that it has been learning and gradually developing regulations for NGOs operating outside China, although most regulations and administrative guidance to date remain vague.

Limited financial resources are another major constraint on the international development of Chinese NGOs. Chinese NGOs fund their international projects through donations from diverse sources: corporations, international foundations and organisations, government, and the public. Corporations are an important financial source for Chinese NGOs' international projects, especially for large foundations, such as CRCF and CFPA. These corporations and foundations usually already have established sponsorships or partnerships for domestic projects. Lacking previous contacts and networks, it is much harder for independent and small Chinese NGOs to raise funds for international activities from large corporations. Similarly, international foundations and organisations prefer to fund Chinese NGOs which they have long supported in China. For example, Give2Asia, a long-term partner with CFPA in China, has supported CFPA's microfinance project in Nepal (Deng and Song 2019). Blue Moon Fund has sponsored GEI's projects both in China and abroad (GEI 2021). Currently, open government funding for Chinese NGOs is very limited. For instance, Yunnan Province has an official aid budget of less than RMB600,000 per project per year to allocate to a few local NGOs (mostly GONGOs) for international projects, but there is no such mechanism yet at the central level (Department of Commerce of Yunnan Province 2020). Public funds, raised mainly through the internet, are an important financial source for both GONGOs and independent NGOs. According to my calculations, based on publicly available information from Tencent and Alipay (the top-two internet platforms for charitable online fundraising in China), as of the end of 2020, the total funds raised for international humanitarian and development projects through these two channels was RMB45 million. This amount seems almost irrelevant if compared

with mature markets for international donations, such as that of the United Kingdom, where the public donated £10 billion over the past five years (Banks and Brockington 2020).

Human resource constraints and limited organisational capacities are internal bottlenecks for NGOs. In general, the salaries of Chinese NGO staff are very low. In 2018, in the 210 Chinese foundations that registered under the Ministry of Civil Affairs—either national public foundations or private foundations with initial capital beyond RMB20 million, including the largest and most important foundations in China—56 per cent of employees had an annual salary of less than RMB100,000 (US\$15,000) (Wang 2019). Taking CFPA as an example, the average annual salary of its staff in 2018 was RMB122,629 (US\$19,000) (CFPA 2019), which is less than half the average salary in large INGOs—for instance, US\$48,000 for Save the Children (Zippia 2020b) and US\$52,000 for Oxfam (Zippia 2020a). Such salary levels are not competitive internationally to attract talent in recipient countries who are familiar with Chinese, local, and global systems of operation. In addition to human resource shortages, Chinese NGOs face the complicated challenges of understanding the needs of local communities, designing and implementing sustainable projects, localising operations, and communicating with international partners using global development discourse. As one independent NGO leader told me in September 2020: 'Even if I was given a 100 million renminbi [to undertake a project], I wouldn't accept it because I wouldn't be able to implement it.'

The Driving Forces of Internationalisation

Internationally, the development of INGOs has gone through cycles, each driven by different political, economic, social, environmental, and technical factors (Davies 2014). Similarly, the growing presence of Chinese NGOs overseas is also driven by a set of external factors. First among them is the strong economic progress China has made over the past few decades, which has freed up resources



CFPA's Burmese version of Panda Pack to be delivered to children in Myanmar. Photo by the author.

that can now be allocated more flexibly for international causes. CFPA, the biggest foundation for poverty alleviation in China, made moving into the international realm an organisational strategy years ago, foreseeing its role in poverty reduction within China shrinking. Second, the country's national strategies related to the BRI have provided a supportive political environment for the internationalisation of Chinese NGOs. The Chinese Government referenced the strategic role of NGOs in building social connections in BRI countries at the Belt and Road Forum for International Cooperation in 2017 and then again in the Action Plan for People-to-People Bonds in the Belt and Road Initiative for Chinese Social Organisations (2017–

20) (中国社会组织推动‘一带一路’民心相通行动计划 2017–20). Third, the Chinese public is now more accepting of making international donations. Chinese NGOs have become more optimistic about gaining public donations for international projects because they face less pushback from the public. Based on several of my NGO interviews, they are now less likely to hear complaints such as: ‘Why do you donate to Africa when there are still so many people in need at home?’ Fourth, increasing environmental and social concerns about China's overseas investments, especially in extractive industries, have prompted some Chinese NGOs working on the environment and sustainability, such as GEI, to develop projects abroad. Fifth, since China opened

its doors to the world and embraced social and economic globalisation, Chinese NGOs have gained greater international exposure by attending international conferences, participating in international exchange programs, and partnering with other international foundations and NGOs. As Deng (2019) has discovered, the frequency of exchanges between Chinese foundations and foreign NGOs is one of the most important factors impacting on whether those foundations make overseas donations, as well as the scale of such donations.

Although the diplomatic factors mentioned in the second point play a role in the internationalisation of Chinese NGOs, especially for GONGOs, this does not necessarily mean these organisations are co-opted by the Chinese state. GONGOs have varying levels of autonomy and their ties with government should be viewed as ranging along a spectrum, rather than as absolutes (Hasmath et al. 2019). For example, the China NGO Network for International Exchanges (中国民间组织国际交流促进会, CNIE), founded by the International Department of the CCP's Central Committee to promote cooperation between Chinese and foreign NGOs, is solely financed by the Party-State. It is often considered an extension of the government, and some of its projects are directly related to promoting the BRI, as indicated by names such as 'The Silk Road Community Building Initiative' (丝路一家亲). The CRCF's 'Silk Road Fraternity Fund' (丝路博爱基金) and the China Foundation for Peace and Development's 'Friends on the Silk Road' (丝路之友) are two other examples of how the BRI influences the international projects of some GONGOs.

However, there are many other GONGO projects that are not driven by the BRI. The CFPA has developed a range of projects in Nepal since providing humanitarian assistance in the wake of the 2015 earthquake. Funding for these projects comes from a variety of sources—including corporations, international foundations, and the public—and the CFPA has decision-making autonomy over project initiation, location, and design. Independent NGOs usually do not link their projects to the BRI directly but may refer to it to gain political legitimacy when dealing with Chinese Government

officials. Overall, the BRI provides a favourable backdrop for Chinese NGOs moving into overseas operations, but it is definitely not the only driver.

Looking Ahead

Most of the facilitating factors for the internationalisation of Chinese NGOs cited above are unlikely to fade in the short to medium term. Especially during the current pandemic, the degree of international engagement by Chinese NGOs, which have been providing donations and participating in online conferences with both developing and developed countries, is quite unprecedented, further confirming the growing trend of internationalisation.

However, these dynamics might change once the Chinese state becomes more involved in the internationalisation of Chinese NGOs. During the COVID-19 pandemic, fundraising for donations to other countries has been controlled by the Chinese state apparatus, and only a few public foundations are authorised to fundraise publicly for international projects. This demonstrates the government's ability to interfere with international donations, even without establishing any formal regulation. As the size and scale of Chinese NGO engagement overseas develop, it is expected the Chinese Government will take measures to regulate the sector. It is also worth watching the development of the South-South Cooperation Assistance Fund (南南合作援助基金), an initiative started by the Chinese Government to assist developing countries in implementing their post-2015 sustainable development agendas. The fund has made Chinese NGOs eligible to apply for funding and will likely start allocating funds to them for international projects in 2021. This will become the most important official channel of funding for Chinese NGOs working internationally. How will these new financial resources and incentives change the dynamics of Chinese NGO internationalisation in terms of geographical presence, areas of concern, and approach? Will these measures and resources lead to more support and healthy

competition or will they shackle the diversity of NGO behaviour? The answers to these questions will depend on how the Chinese state designs its regulations and manages funding to NGOs.

Aside from the direct government interference that affects NGOs within China, we should also pay attention to the development of NGOs themselves as this, by extension, will affect their ability to internationalise. China has no established Western-type INGOs with international development causes as their sole purpose; it is not even possible for a Chinese social entrepreneur to register with the Ministry of Civil Affairs as an NGO working solely for children in Africa. International projects are currently merely add-ons for Chinese NGOs, with domestic projects remaining the priority. The same factors that constrain or facilitate the development of NGOs in China will also affect their internationalisation. Chinese NGOs working internationally remain fundamentally Chinese, and their overseas behaviour does not go beyond the established boundaries of the domestic government–NGO relationship. The many organisational bottlenecks referenced above are caused by complex systemic problems that are unlikely to change in the near future.

Will the size and scale of Chinese NGOs' international presence eventually be comparable with medium-sized INGOs like the one I used to work with? Considering the rapid development of Chinese NGO internationalisation over the past five years, I am optimistic that a few might be able to reach such a scale in the medium to long term. However, what is more important to consider are the causes for which NGOs fight, the approaches they take, and the resources they can leverage. In the end, what matters is the real impact Chinese NGOs can make on global public welfare. Such influence can only be achieved if the domestic development of Chinese NGOs is more robust and autonomous. ■



Will There Be a Civil Society in the Xi Jinping Era?

Advocacy and Non-Profit Organising in the New Regime

Xi Jinping. PC: UN Geneva (CC).

Lawrence DEANE

There is currently much discussion about the future of civil society in China. Pessimists point to a rash of organisational closures and arrests of civil society workers, as an indication of the most serious crackdown on advocacy since 1989. More optimistic observers described a mutually beneficial relationship between the non-profit sector and the Chinese authorities. They argue that the incidence of repression is relatively small compared to the size of this sector. In this context, this essay surveys a number of ways that advocacy continues to be done in authoritarian China.

Assessments of the current state of civil society in China elicit a range of perceptions. Some raise alarms about the most ‘stringent crackdown since 1989’ (Howell 2019) and ‘a dark time for Chinese civil society’ (Dai and Spires 2018). Others, though clearly recognising police actions and tighter restrictions, emphasise that the activities of civil society have always occurred in a negotiated relationship between China’s authoritarian state and a mobilised voluntary sector (Gao and Teets 2021; Hsu 2020; Fu and Distelhorst 2018).

It is important to recognise, as Salmenkari (2017) points out, that civil society in China encompasses a multitude of kinds of organisations, and each of these elicits different kinds of reactions and attention from Chinese authorities. Second, the Chinese state itself is not a monolith, but rather consists of many departments and actors, operates across a vast geographic area, and is made up of diverse components that may have conflicting or even competing interests in their interactions with civil society (Hsu and Teets 2016; Newland 2018). Finally, it is important to note that the concept of civil society itself does not have a settled definition. Even in the West, where the term originated, its meaning and implications are constantly debated (Edwards 2013; Arneil 2006; Seligman 2002). Varying conceptions of civil society can lead to misplaced expectations of how the Chinese voluntary sector might configure itself. These misconceptions may also lead to a failure to recognise the significance of what the nonstate sector in China is actually achieving.

Repression

Recent anxieties about Chinese civil society date from the beginnings of the 'Xi Jinping era'. In April 2013, in a climate of crackdown on corruption within the Chinese Communist Party (CCP), the leadership of the Party circulated an internal document entitled 'Communiqué on the Current State of the Ideological Sphere' (ChinaFile 2013). This was the ninth such circular that year and so became known as Document Nine. The communiqué stated that the CCP was in an 'intense struggle' with Western liberal values. Along with constitutionalism, market economics, universal values, freedom of the press on the internet, and reassessments of China's history, the circular named 'civil society' (公民社会) as one of the seven concepts threatening the country. Civil society was depicted as

a socio-political theory ... adopted by anti-China forces ... who claim that building a civil society ... is a precondition for ... the realisation of constitutional democracy.

Advocates ... want to squeeze the Party out of leadership of the masses ... [and] their advocacy is becoming a serious form of political opposition.

Document Nine further stated: 'Western embassies, consulates, media operations, and NGOs [nongovernmental organisations] operating inside China under various covers are ... cultivating ... anti-government forces' (ChinaFile 2013).

The extent to which civil society may have posed a threat to the Chinese state was, of course, questionable. However, it is accurate to say the United States, Canada, and other countries did promote civil society in China with the stated expectation that its strengthening would be a catalyst for democratisation (Encarnacion 2013).

Shortly after the release of Document Nine, a rash of preemptive arrests began. More than 200 civil rights lawyers were apprehended, at least 23 labour organisers across Guangdong Province were arrested, and a network of feminist activists campaigning against sexual harassment was detained. Five of the feminists were held for 37 days, which generated a worldwide outcry (Fu and Distelhorst 2018). Although most activists were later released, some received harsh sentences, ranging up to seven years in prison (Yuen 2015). During the same period, some relatively innocuous voluntary organisations were closed: one sponsored children's libraries in rural areas (Piao 2014); another was a health awareness program that happened to provide communications support for the 'Feminist Five' (Fu and Distelhorst 2018). These arrests sent a chill through non-profit organisations (NPOs) and caused many to recalibrate their work in light of what appeared to be new limits on permissible activity.

Further concerns were raised in 2016, when China enacted the Overseas NGO Management Law. After many years of undefined status in China, international NGOs (INGOs) could now obtain formal recognition. The new law, however, provided for registration not with the Ministry of Civil Affairs, as was the case with domestic NGOs, but with the Ministry of Public Security (MPS). The MPS has a police function, and the new law appeared to cast INGOs as a risk to national secu-

rity (Howell 2019). The Overseas NGO Management Law also required INGOs to register with a supervisory agency. This provision had been lifted for some domestic NGOs but was now applied to international groups. These two features created fear that the government was attempting to restrict, or even drive away, foreign NGOs. Without international funders, some Chinese NPOs were anxious for their survival.

A third cause of concern for civil society was the enactment in 2016 of China's first Charity Law (China Development Brief 2016). At first glance, this law appeared to remove some constraints on civil society. It left open the possibility of ending the requirement for certain types of domestic NPOs to have a supervisory agency (although realising this in practice would require the revision of supplemental administrative regulations) and it enabled some NPOs (after obtaining charitable accreditation) to fundraise from the public for the first time (Snape 2017).

Concerns with the legislation, however, lay in its terminology. The Charity Law allowed for accreditation of 'charitable organisations' (慈善组织). Previous legislation recognised three legal forms: foundations (基金会), social groups (社会团体), and civic-run non-enterprise units (民办非企业单位) (renamed in the law as 'social service organisations', 社会服务机构). All were recognised under the broader term of social organisations (SOs) (社会组织) (Snape and Simon 2017). The use of 'charitable organisations', however, added a new term to the lexicon of SOs and created a new tier of accreditation.

Tensions around this new designation are illustrated in research by Dai and Spires (2018). They held focus groups with more than 50 organisations to gauge their reactions to the Charity Law. A consistent concern among the groups was expressed by one NPO leader, who asked: 'What is a charity? Isn't that like rich people going to a temple and giving away rice for free?' (Spires 2020: 578). Another remarked: 'Charity isn't something we do. That's what rich people do. We don't have any money to give away' (Spires 2020: 578). Putting the question in another way, NPO groups asked: 'What about advocacy?' (Spires 2020: 578).

Although the law recognised work to 'prevent and alleviate pollution' and 'other public interests' (China Development Brief 2016: 2), LGBTQ rights groups, HIV/AIDS activists, and others who build public awareness but do not provide direct services wondered whether the law would benefit them. A labour leader stated: 'That policy wasn't made to include us' (Spires 2020: 577).

The Charity Law also contained multiple warnings that social organisations should not 'violate social morality' (China Development Brief 2016: 3–7). The law did not define either 'violation' or 'social morality'. Feminists, LGBTQ activists, and HIV/AIDS advocates wondered whether, by their very identities, they might be deemed 'violators'. In Dai and Spires' (2018) study, many groups decided they would maintain their registration as businesses (though technically and legally they do not fit this category) and many others said they would simply not register.

In assessing repressive actions, Fu and Distelhorst (2018) argue that the state targeted 'boundary pushers'. They see an escalation—from harassment of civil society groups to criminalisation, from *post facto* repression to preemptive strikes. They see a reframing of offences from challenges to social stability to threats to national security.

An End to Advocacy?

While there is certainly increased tension among social groups, this has not meant an end to NPO activity. Hsu (2018) points out that, as of 2016, there were nearly 700,000 social organisations officially registered with the Ministry of Civil Affairs. Researchers estimate there were 2–8 million unregistered organisations. Hsu and Teets (2016: 3–4) argue that 'even if we assume that for every reported incident [of repression], another dozen is hidden from journalistic view, the Chinese state is certainly not going to eliminate the NGO sector with such scattered and infrequent attacks'.

These authors see repression as a strategic move in a chess game in which the government wishes to limit the risks posed by a vibrant and

semi-independent civil society, but also seeks to maximise the advantages these groups provide to government through their specialised expertise and services. It may be argued that this kind of negotiated interaction has been occurring since the ‘heyday’ of civil society in the late 1990s and early 2000s (White et al. 1996; Unger 2008). This structured state-led control over voluntary organisations caused Unger (2008) and others to reject the term ‘civil society’ for the nonstate sector in China. At that time, the use of supervisory agencies and a provision that only one organisation of a particular type could legally operate in a given region led Unger to prefer the term ‘corporatism’. To these observers, voluntary organisations in China did not appear to properly fit Walzer’s commonly cited definition that: ‘Civil society is the sphere of uncoerced human association between the individual and the state, in which people undertake collective action for normative and substantive purposes, relatively independent of government and the market’ (cited in Edwards 2013: 4).

Salmenkari (2017) has argued that China’s nonstate sector also does not strictly fit the model of corporatism. This is even more the case now that many restrictions have been eased under the new Charity Law. Jessica Teets (2014) has described the state voluntary sector as ‘consultative authoritarianism’. While the state retains its authoritarian role, it seeks the specialisation and services of social organisations.

Dai and Spire (2018), Hsu (2020), Teets (2014), and Newland (2018) show that across China’s vast array of government departments and local jurisdictions there is a diversity of responses to voluntary organisations. Government officials are interested in gaining credit in their performance evaluations for innovative solutions to social problems. They are open to experimentation, but at the same time are wary of potential failures. NPOs, by contrast, have latitude in their mandates for innovation. They can deploy initiatives and fine tune them until they are effective. In this way, NGOs function as ‘unofficial research and development’ units for local governments (Hsu 2020). Once interventions prove effective, government is able to cut and paste these approaches into their

portfolios, local officials take credit for effective problem-solving, and NPOs are able to see their limited initiatives scaled up to reach large local populations.

To be accepted in this process as collaborators, NPOs have learned that the tone of their advocacy must be tempered. Little can be achieved through denunciation of flawed policy or through criticism of negligent policymakers (Dai and Spire 2018). Advocates have obtained a hearing from those in power by adopting roles as concerned citizens engaged with government in working towards common goals of social and economic development. Problems are framed as commonly agreed on development objectives for which NPOs offer insights and possibly prototypical programming. This approach is sometimes construed as compromise. It appears to run counter to many Western expectations that to engage in advocacy is to name the failure of those in power to meet their obligations towards the disenfranchised (O’Brien and Li 2006). NPOs who use a collaborative approach believe that sharing credit with government is an appropriate price to pay for achieving worthwhile ends.

Part of the approach to gaining a voice for advocacy in China is to build a reputation for expertise. Gao and Teets (2021) describe Green Zhejiang, an NPO founded by two university professors with expertise in environmental protection. The group registered as the environmental unit of the Zhejiang Provincial Youth League. Over several years, they developed a wide and diverse network of volunteers and a reputation for expertise in environmental management.

When in 2013, in Rui’an City, a private entrepreneur offered a prize of 200,000 yuan (around US\$30,000) to the Environmental Protection Bureau chief to swim in a polluted river, Green Zhejiang was able to launch a full campaign to follow up on the stunt. The organisation collaborated with a satellite TV station and created a series called *Find the Swimmable Rivers*. The episodes highlighted instances of pollution and poor water governance, but also featured examples of proper water management. The program attracted local citizens and student volunteers



Chinese Lawyers artwork, PC: Amnesty.org (CC).

from middle schools up to universities. The volunteers began exploring water sites and reporting on pollution across the province. Green Zhejiang documented the identities of polluters and highlighted practices of proper water governance. The TV program ran for 136 episodes and resulted in significant government action to remedy environmental violations.

Advocates in China have also been able to utilise China's freedom-of-information laws. In 2008, the Hu Jintao administration passed the Regulations on Open Government Information (Fu and Distelhorst 2018). A study at the University of Hong Kong found that, by 2015, the number of disclosures of information had exceeded that in all previous years (Fu and Distelhorst 2018).

Advocates are also increasingly using litigation. In prior years, the State Council significantly reduced court fees for civil cases (Hsu 2020). In 2015, the government implemented new docketing procedures to prevent courts from screening out controversial cases. That same year, administrative

lawsuits—colloquially known as ‘folks-suing-officials’ cases (民告官案件)—increased to a per capita level 50 per cent higher than in any previous year (Fu and Distelhorst 2018).

While it is true the state arrested a number of civil rights lawyers in 2015, Hsu (2020) and Fu (2018) show that this repression was selective. Fu (2018) shows that civil rights activism in China among legal practitioners falls along a continuum. At one end are those who are critical of the system and work to expand the authority of the law, but work within the courts to do so. At the opposite end are radicals who ‘regularly shout at prosecutors and argue fiercely with judges’. They consider it a ‘badge of honour to be expelled by the court’ (quoted in Hsu 2020: 37). Fu (2018) shows that lawyers on the radical end of the spectrum—many concentrated in one law firm in Beijing—were the ones repressed in 2015. According to the *People's Daily* (人民日报), lawyers from the Fengrui law firm in Beijing had not only taken on the legal case of an individual shot by police in a train station,

but also mobilised public support on social media. As the outcry grew on the internet, the lawyers organised rallies and street protests in front of the train station where the shooting took place and the police station at the centre of the case. According to the *People's Daily*, the lawyers were arrested for 'spreading false rumours' and allegedly paying demonstrators to attend protests (Fu 2018). In contrast, lawyers who work within the court system appear able to continue without interference.

Dai and Spires (2018) show that much advocacy also occurs through official channels, including petitions (信访), government office visiting days (接访日), administrative appeals (行政复议), and administrative litigation (行政诉讼). China's Environmental Protection Law solicits public participation and entitles NGOs to file public interest litigation. Local governments across China have been required to create internet portals such as the 'Mayor's Mailbox' to hear citizens' complaints and to respond to concerns. Fu and Distelhorst (2018: 114) cite figures from the National Administration of Letters and Visits—a body with a mandate to 'resolve conflicts, improve policy, [and hear about] complaints and dissatisfaction of the public'. They indicate that roughly 10 million petitions or complaints were made in 2009, which is roughly one for every 133 people in China. This level has not declined under Xi Jinping.

Hsu (2020) argues that the Chinese state has evolved an ideology of *suzhi* (素质), which can be translated as 'all-round (human) cultivation'. The state relies on a perception of increasing *suzhi* to maintain its legitimacy. She argues that NPOs can use this ideology to gain leverage over government. Citizens with high levels of *suzhi* are meant to be 'well educated, well off, well mannered, sophisticated, and cosmopolitan. They wear suits and live in cities' (Hsu 2020: 27). It is the responsibility of government to create the circumstances—such as good education, professional jobs, and appropriate infrastructure—that allow for people to develop 'good all-round cultivation'. Civil society can use this ideology to bring to the government's attention areas where policies are not creating such cultivation. Citizens can add new dimensions to the concept such as a clean environ-

ment, well-nourished rural children, or improved health care. Citizens can organise on their own to solve problems and to create better conditions for all-round cultivation. Corrupt practices and flawed public programs trigger public outrage over the harm these do to *suzhi*. Citizens use social media to demand remediation. While the internet is censored, articles can be seen before censors remove them. Journalists who need to sell content will cover scandal in their publications. Public outrage can spread simply by word of mouth.

Research Findings

The perspective developed in this paper is informed partly by 13 years of research and participant observation with a social work NPO in China. The group worked to benefit China's internal migrant worker population and their wider communities both inside and on the peripheries of a large city. It started around two decades ago as a small informal group and, later, unlike many groups with similar origins, was able to register as a non-profit with a bureau of civil affairs. While attaining government-approved status was crucial to its development, enabling it to maintain stable funding, take on government purchased services, and develop workable relationships with different government agencies, the NPO also guarded its ability to retain some independence and saw this as vital to its capacity to offer policy recommendations that would benefit its community. Though it may not be representative of NPOs working with migrant workers—it positions itself as a social work organisation rather than a labour group—it offers an important perspective on what can be achieved within the limited space shaped by the restrictive policy environment and repression touched on above.

In interviews spanning a decade, the NPO stated that they tried to be careful not to 'criticise government as dysfunctional'. Rather, they would raise concerns by saying 'because of the changing circumstances of social development, the government's older ways of doing things are no longer effective'.

Their advocacy used five overlapping methods. First, their involvement in social issues was always grounded in thorough research. Some of this was journalistic; some was more standard systematic study. They typically trained migrant workers themselves to conduct research in their own communities. One notable case was in the 2008 Global Financial Crisis when the economic slowdown hit migrant workers particularly hard. Migrants conducted surveys and interviews with fellow workers, some of whom returned to farming because of the disappearance of jobs in cities. This research attracted attention from China's State Council, which adopted it as a reference document.

A second approach was to provide opportunities for migrants to directly address government officials. They held a conference in which migrants were invited to speak about industrial accidents and the lack of safety measures in workplaces. At first, the government was opposed to migrants speaking in case their presentations became too agitated, but the NPO responded that inclusion of migrants was imperative and the conference would go ahead whether or not the government participated. The group also encouraged migrants to perform street drama. At first, these plays simply provided worker education. Later, government officials, corporate board members, and large public audiences attended the presentations and they moved from the street to a large public theatre. The dramas depicted migrant workers' dreams for a better life in the city.

A third approach was simply to provide services, which included medical assistance, enhanced education for migrant children, visitation of elderly people, and legal protection for those injured or improperly dismissed from work. The NPO documented these services in books, exhibitions, pamphlets, and videos. The aim was 'to push' (推动) government and the public for better policies and treatment of migrants.

A fourth approach invited privileged members of society to volunteer in migrant communities. Large technology firms encouraged their staff to express corporate responsibility through volunteer days. The NPO created a network of more than 80 medical professionals who provided *pro bono* health examinations to migrant children. Senior-

level Chinese officials were regularly invited to NPO activities. A very high-level central government official often volunteered on weekends to teach English to migrant children.

A fifth approach was to encourage migrant participation in all possible forums for public decision-making. These included locally elected neighbourhood committees and district-level public policy consultations.

The author interviewed this NPO again in April 2021. The health checkups for migrant children had expanded to include health exams for their mothers. They continued their training of fledgling NPOs. They had now begun long-term training of migrants to become certified social workers in their communities. Their most recent research, in 2017, suggested the government policy of extending health care to all children was not being effectively implemented.

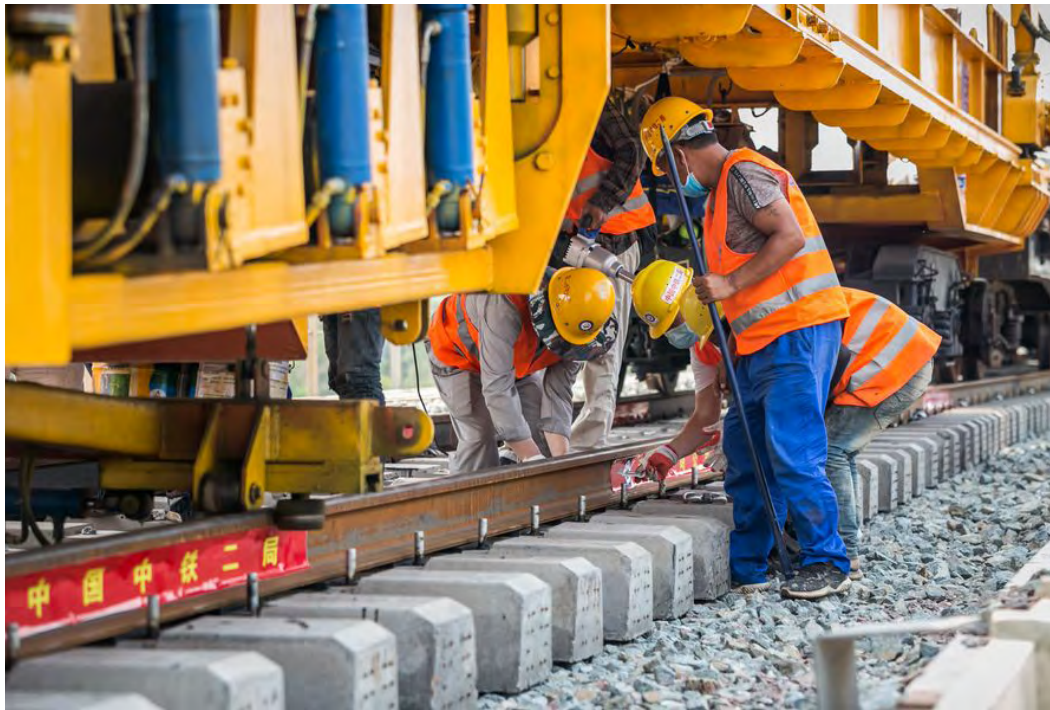
Most recently, in the context of a campaign to 'crack down on and rectify illegal social organisations' that took place in the spring of 2021, the group was asked their perceptions on the implications for NPOs. Their view was that the curtailment was directed mainly at groups whose service delivery was ineffective or whose finances were poorly managed. Some, they said, might be shut down because they treated social service as a kind of commodity that they tried to sell to government. They believed that groups who were genuinely committed to meeting the needs of vulnerable people were not under threat in the current environment. But what this may fail to account for is the large number of organisations that do not have government-approved status. As the focus of the current crackdown is on space and not on individual organisations, regardless of what government intentions may be, such organisations may stand to lose the space to survive.

A Uniquely Chinese Form of Civil Society?

While it is undeniable that repression of Chinese NPOs has increased under the current regime, it is also clear that Chinese citizens continue to

form organisations, and to pursue a multiplicity of objectives through non-profit structures. Such groups have ‘normative and substantive objectives’ (Edwards 2013: 4). The Chinese Government has signalled new limits on the tone and style of advocacy. It has not, however, ended organised efforts to work for change. While formalising control of international groups, the state has also eased restrictions on service-oriented domestic NPOs. Whether the state-constrained voluntary sector qualifies to be described as civil society, or whether another term is more applicable, is still a matter of debate. It is clear, however, that Chinese citizens continue to work to influence public affairs. Perhaps this is a uniquely Chinese form of civil society. ■

GLOBAL CHINA PULSE



Railroaded

The Financial Politics and the Labour Puzzle of Global China

Chinese construction workers on the trans-Laos railway, 2020. PC: Xinhua News Agency.

Wanjing (Kelly) CHEN

While it is well known that China's infrastructural expansion in some countries is heavily reliant on labour drawn from home, the causes of this phenomenon remain unclear. This essay points to the financial underpinnings of Global China as a contributing factor. Drawing from her fieldwork on the trans-Laos railway, the author reveals how unstable credit flows powering the Belt and Road Initiative can reshape labor regimes on the ground.

Chinese labourers have been a persistent component of Beijing-sponsored infrastructure projects overseas. Going back to the socialist era, they participated in the construction of ideology-based aid projects such as the TAZARA railway in Tanzania and Zambia in the 1970s (Monson 2009). Today, as the Belt and Road Initiative (BRI) unfolds, an increasing number of Chinese workers are journeying abroad. From transportation arteries crisscrossing rugged terrain to industrial and urban enclaves carved out of rural landscapes, mega-infrastructure projects

embodying Beijing's vision for global development are being produced at miraculous speed by a predominantly Chinese workforce.

In the eyes of alarmed observers across the world, the Chinese labour exportation regime constitutes yet another piece of evidence of the country's 'predation and threat on a global scale' (Lee 2017: 1). From this perspective, the large number of workers in uniforms with Chinese-language logos renders the Party-State's claim that the BRI is a win-win partnership a blatant lie, as it produces only limited employment opportunities for locals and is socially disruptive for the host countries. In some sarcastic news reports, journalists have concluded that the BRI's local job creation has been largely concentrated in the commercial sex industry (Janssen 2018). Across communities where there are large numbers of Chinese workers on the ground, speculation also prevails about them being forced or prison labourers assembled and dispatched by an evil authoritarian regime (Yan et al. 2019; Schmitz 2014). These multi-origin discriminatory narratives are feeding into a global revival of 'yellow peril' discourse—a worrying resurgence many critical scholars have vowed to combat (Franceschini 2020; Driessen 2019; Lee 2017).

It is not the aim of this essay to tease out and problematise stereotypes of Chinese construction workers abroad to advocate for more balanced representations, though efforts in this realm are certainly important and much needed. Instead, I take a step back and tackle a more fundamental question: why does China's infrastructural expansion continue to demonstrate overwhelming reliance on labour sourced from home? This is particularly puzzling given that both the Chinese state and Chinese enterprises are, in reality, motivated and incentivised to contribute to local job creation in this process.

To begin, wary of its crumbling global image, Beijing is taking more care to make space for local actors when negotiating financial contracts for bilateral infrastructure projects. In the past, credit provision as part of Chinese developmental outsourcing has always had strings attached that mandate certain percentages of procurement and

employment from China (Bräutigam 2009). Today, arrangements increasingly extend to explicitly safeguard opportunities for host countries. For instance, the bilateral agreement for the trans-Laos railway—a section of the BRI's flagship Kunming–Singapore railway in mainland Southeast Asia—spells out that 15 per cent of the construction contracts should be allocated through the Lao state for Lao enterprises only. Chinese firms are formally prohibited from undertaking these construction works, which are reserved for local counterparts to enable capacity-building. Theoretically, with such an arrangement in place, we should expect to see a visible Lao presence in the BRI project. Additionally, cost-sensitive Chinese firms working on overseas infrastructure projects also lean towards using cheap local labour where possible. As documented elsewhere (Corkin 2012), the importation of workers from China has usually occurred as a response to the practical challenges of sourcing skilled labour locally or to reduce the increased managerial costs of using inexperienced teams.

Given the developments discussed above, it is rather bewildering to encounter sites of ongoing BRI projects filled with Chinese labourers. For instance, if we return to the case of the trans-Laos railway, which has been under construction since 2016 and is close to completion, numerous firsthand field reports, as well as my own observations, show a clear dearth of Lao involvement in the building works. The realities on the ground are well captured by Doig's (2018) sentimental depiction: 'Everything related to the railway, from cement plants to workers' jumpsuits, is branded with the same blue and white [Chinese] colour scheme and emblazoned with Mandarin characters.' How, then, has the railway become a 'Chinese' railway, from head to toe?

The Labour Puzzle on the Ground

This was a question I had long harboured while conducting fieldwork in Laos in 2017 and 2018. During my exchanges with contractors and workers

along the railway, a story emerged. As it turned out, the railway's labour geography had much more local appeal in the early stage of construction. Across villages close to construction sites, it was common to encounter young men who had been employed doing petty tasks in the early stages of the project. On certain sections of the railway, Chinese contractors had even started by sourcing labour primarily from local communities. This was the case for Du, a *laoban* ('boss') from Sichuan who secured a tunnel construction contract on the railway back in 2016. Like the majority of small contractors involved in the project, his encounter with Laos was limited to a couple of brief stays in its capital, Vientiane, where the railway's tendering/bidding processes took place. Thus, in mid 2017, when Du first arrived with a small team of technicians and translators to survey the construction site, he made a rather happy discovery.

As it turned out, the section of mountain into which Du's tunnel was to be cut was right next to a large relocation site established only two years earlier to make way for a nearby hydropower project. A total of 11 villages previously situated within the reservoir of the dam had been aggressively lumped together and resettled. These were semi-subsistence agrarian communities that had thrived through farming, fishing, and foraging in the fertile landscape that had been their home. Typically in development-induced relocation in Laos, peasants lose access to much or all of their farmland and communal resources and are ineligible for compensation (Green and Baird 2016). In this case, the abrupt dispossession had left the approximately 700 households living next to Du's construction site in deep poverty. From his perspective, they constituted a convenient pool of cheap labour. Hence, Du immediately decided to recruit his workforce locally with the help of his translator.

When construction started under Du's charge in September 2017, he assembled a team of 14 village men managed by a handful of Chinese technicians and Lao translators. Desperate for cash income, the men agreed to work for a meagre hourly rate of 10,000 kip (US\$1.20), paid at the beginning of every month. Du had one translator record the exact

time each of the individuals spent at work every day and calculate the size of their pay cheques accordingly. The cost of Lao labour was obviously minimal compared with that of Chinese workers; Du would have had to pay roughly US\$1,200 per month to bring in an experienced Chinese construction worker at the time. Cross-border recruitment also came with sizeable additional expenditure on transportation, visas, food, and accommodation.

However, the honeymoon period between Du and his Lao workers did not last long. By the beginning of 2018, the latter stopped coming to the construction site all at once. The mass exodus was triggered by the delayed arrival of wages. Simply put, only a few months into construction, Du had begun missing his promised monthly payments to the village men, who relied on the cash to cover livelihood necessities. This culminated in a dramatic scene on the construction site one day, when the enraged Lao workers brought their friends and families to besiege Du in his office until he paid them on site. They took their money and quit their jobs for good. The contentious situation between a Chinese boss and Lao construction workers was by no means unique to Du's case. In fact, across villages near the railway's construction sites, I often encountered young men who refused to work on the project because 'the Chinese didn't pay'. Labour exploitation, in the form of delayed or denied wage payments, was the main reason Lao workers opted out of employment on the railway. And the vacancies they left behind were filled by Chinese workers. These hidden dynamics were what eventually consolidated the project's puzzling labour geography.

Financial Entanglements

But it is worth asking why 'the Chinese didn't pay' in the first place. Here, a mythically greedy and self-serving contractor seeking to maximise profit at the expense of labour jumps to mind. Taking a closer look, however, bosses like Du were themselves victims of the unpredictability of the railway project. In particular, the practice of cutting back



Thanaleng station near
Vientiane, Laos.
PC: Shankar S. (CC).

on wage payments was a survival strategy amid the railway's chronic funding deficiency. The root of the problem lies in the project's financial arrangements, which were doomed to fall apart from the beginning. According to the bilateral agreement reached in 2015, the trans-Laos railway was to be developed as a joint venture in which the Lao state would hold a 30 per cent stake. The Lao Government would borrow 60 per cent of the estimated US\$6 billion needed for the project from the Exim Bank China, while the rest would be funded by the joint venture. This left the Lao authorities responsible for committing US\$715 million to the project. Of this, US\$465 million would again be borrowed from the Exim Bank of China, with the remainder coming from the Lao state budget. However, this latter stream of funding was also to work as equity capital mandatory for channelling the Chinese credit into the project. As such, this arrangement bets much of the railway's financial stability on the equity provision from the Lao side (Chen 2020).

Not surprisingly, the Lao Government failed to put together the required funding on time—a predictable situation given the country's poor fiscal capacity. This was further exacerbated by the different Lao state organs responsible for budget allocation not effectively collaborating due to internal power struggles. These dynamics—largely hidden from public view—were exposed in a seemingly unimportant news story published by the Lao state media, the *Vientiane Times*, on 13 March 2018 (Vaenkeo 2018). In it, the Lao Deputy Minister of Public Works and Transport—the bureau chiefly responsible for the railway project—publicly asked for a lump sum of 500 billion kip (US\$57.5 million) to be allocated for the project. As the initial financial arrangement for the trans-Laos railway continued to unravel, the project limped along with a dearth of funding. The situation was particularly acute in the early phase of construction, but persists today, even as it is now approaching completion in the midst of

the COVID-19 pandemic (Liu 2020). Regardless, the Chinese Government has pushed for BRI projects to move forward according to their planned timelines. This is unsurprising as the success of the BRI is directly connected to Chinese President Xi Jinping, who has been branding the initiative as his signature policy.

Who, then, foots the bill for the financial vacuum created by the long-delayed Lao funding and, subsequently, the Exim Bank loan? Much of the burden has fallen on to the shoulders of small contractors like Du. Typically, the railway contracts they secured required them to put up assets worth 3–5 per cent of the contract value as a security deposit at the beginning. They were then obliged to begin construction work using their own capital with the promise of monthly reimbursements from the railway joint venture. When these contractors realised the scale of the financial problems at the upper levels of the venture, following several rounds of missed reimbursements, they found themselves trapped in an extremely difficult situation. Having poured so much of their own investment into the railway, they had little choice but to continue fulfilling their contract while praying for the eventual arrival of state funding. Alternatively, they could quit; however, by taking this path, they would give up any chance of recouping the investment they had already made. After all, they were in a position of relative weakness in relation to the Beijing-backed railway joint venture, which could easily deny responsibility by accusing these small investors of breaching their contract.

As the BRI project's financial turmoil trickled down, bosses like Du began cutting expenditure as much as possible, which exacerbated labour exploitation in the form of delayed or denied wage payments. Eventually, the local workers rose up, protested, and exited the project *en masse*. The gaps they left behind were filled with imported Chinese workers, who were hired according to a non-monthly payment system. For instance, the replacements Du brought in were scheduled to receive their wages in a lump sum every three months, six months, or even 12 months. This form of salary system is rather common in China's

violently exploitative domestic construction sector (Pun and Lu 2010). For Du, it temporarily reduced the pressure on his capital supply and ensured a relatively smooth construction progress, even though the cost of labour would be much higher in the end.

For the Chinese workers, however, it was a real gamble to agree to such an arrangement. If the project's financial situation improved before payday, they could indeed secure a higher salary than what they would be getting based on a regular monthly payment. If not, as migrant workers parachuted into an utterly unfamiliar country, they had little power to force wage payment, just as their Lao counterparts had discovered. Many workers became pessimistic about their chances of being paid after hearing rumours about the railway's funding problems. Disillusioned, they simply gave up and quit. But for those who had worked on the railway for a significant period, it was particularly unsettling when they were not able to claim back at least part of their accumulated wages.

These mounting grievances were what sparked a protest against the railway joint venture at the dawn of the 2018 Chinese New Year. Well aware that the exploitation was rooted in the railway's top-down financial problems, they chose to target a Chinese state-owned enterprise (SOE) which held shares in the joint venture, rather than their direct boss, who had by then been driven to the verge of bankruptcy. To enlist public support, they gathered by the gate of the SOE's headquarters along the railway, holding a large white banner saying, 'Pay My Wage' in Chinese, English, and Thai. Yet their efforts were soon thwarted: according to my interviews, only hours after the protest erupted, the Chinese Embassy in Vientiane contacted all local Chinese-language media, explicitly requesting no reports on 'any distorted and unconfirmed news about the railway labour dispute'. Protestors were later gagged and packed into planes/buses back to China, so they would not tarnish the image of the BRI. After all, the Chinese state is known to relegate its citizens abroad to non-national status when they fail to embody its ideal of self-representation (Schmitz 2014).

Towards a New Approach

The case-specific evidence, drawn from the trans-Laos railway, reveals that Global China's contemporary labour regime has a largely overlooked 'financial undertone'. Beijing's escalated lending practices for the BRI have triggered concerns about a looming Southern sovereign debt crisis, and seeded suspicions of debt-trap diplomacy (Bräutigam 2020). Indeed, what has unfolded in Laos shows that some of these loan deals are divorced from the fiscal reality of the host countries. Hence, to what extent these deals have been, or will be, implemented remains unknown, let alone how they will affect the repayment capacity of the borrowing states in the future. However, there is a clear pattern of these financial agreements being used to jumpstart pertinent infrastructure construction. In this respect, many of the BRI projects are likely to be implemented with an unstable funding supply, as in the case of the trans-Laos railway. It is precisely under such circumstances that a peculiar form of labour geography takes shape, in which Chinese workers who become more 'docile' through domestic experiences and processes of migration are brought into foreign countries to fill positions.

This leaves us with two key takeaway points. First, this situation warrants a relational and systematic study of the labour issues of 'Global China', as the dynamics on a small construction site may be rooted in the realm of sovereign debt creation, as this case clearly shows. Second, the contours of such labour geography can provide a useful window for us to peek into important yet otherwise opaque realms of Global China that make for difficult observation, such as the broader financial health of large flagship projects. ■



Chinese Energy Investment in Cambodia

Fuelling Industrialisation or Undermining Development Goals?

Steung Hav Coal Power Plant, Sihanoukville Province, Cambodia.
PC: Dmitri Makeev (CC).

Mark GRIMSDITCH

'In the last decade, Cambodia transitioned from reliance on imported energy towards self-sufficiency. Driven by Chinese-invested and built hydropower plants, Cambodia's energy mix hit 50 per cent non-fossil fuels in 2018. Since then, major new coal plants have been approved, and national energy planning is now leading Cambodia to a future dominated by fossil fuel, despite some gains in the renewable energy sector. This essay explores how the energy investment priorities of Chinese companies and banks, along with the development decisions of the Cambodian Government, in the long term could set back industrial upgrading, diversification, and job creation, ultimately harming Cambodia's economy.'

In early 2020, Cambodian authorities fast-tracked approval of two new coal plants. Soon after, they also signed a memorandum of understanding with the Lao Government committing to purchase energy imports from two proposed coal plants in southern Laos. This marked a significant shift in the evolution of Cambodia's energy planning, from a model heavily dependent on hydropower to one in which fossil fuels will play a dominant role. This move towards fossil fuels will have significant implications for the Cambodian economy. In addition to the obvious environmental and social impacts, this change in strategy threatens Cambodia's long-term viability as a base for export-oriented manufacturing targeting Western markets, as buyers in the latter are increasingly adopting policies seeking to 'green' their supply chains.

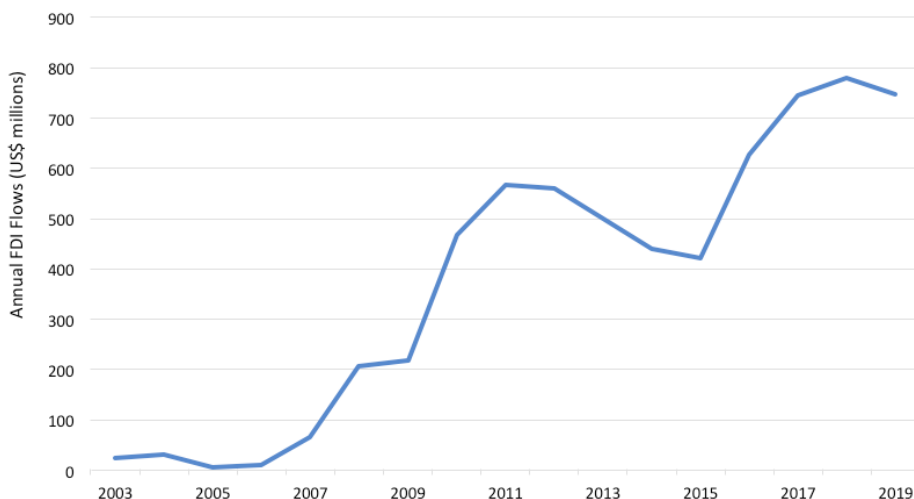
China plays a unique and diverse role in this complex landscape. More than a decade of aid and state-backed investment and assistance for energy and transport infrastructure have facilitated the expansion of Cambodian manufacturing, which is now dominated by private Chinese firms. While much of China's engagement in the country is now framed under the narrative of the Belt and Road Initiative (BRI), inflows of Chinese investment and aid in Cambodia very much foster Cambodia's export-oriented economy, which remains heavily focused on exports to the United States and Europe. In such a context, this essay explores how the energy investment priorities of Chinese companies and banks, along with the development decisions of the Cambodian Government, in the long term could set back industrial upgrading, diversification, and job creation, ultimately harming Cambodia's economy.

China's Developing Relationship with Cambodia

Over the past decade, China has risen to become Cambodia's largest investor and a key political ally. China's presence as a major investor in the

country began to really develop in 2006, after a state visit from then Premier Wen Jiabao, which resulted in the signing of several bilateral agreements and a commitment of US\$600 million in loans and grants (AP 2006). Since then, the relationship has strengthened significantly, reaching the status of a 'comprehensive strategic cooperation partnership', which is generally regarded by the Chinese authorities as the highest level of bilateral relations. Premier Wen's trip set a trend of high-level meetings between the two sides, which consistently resulted in high-profile investment, aid and cooperation packages, and commitments to develop large infrastructure projects, including power plants, roads, and other major public works. Significantly, although China's global investment and financing have been in decline since 2016, its investment in Cambodia does not follow the same trend, increasing relatively steadily between 2015 and 2018 before dipping slightly in 2019 (MOFCOM et al. 2020). According to the Council for the Development of Cambodia (CDC), China has been Cambodia's top investor since 2013, accounting for 22 per cent of all approved foreign investment in the period 1994–2019 (Hin 2019; CDC n.d.[a]).

Figure 1: China's Foreign Direct Investment Flows to Cambodia, 2003–2019. Source: MOFCOM (2020).



China is also one of Cambodia's most important development partners and, since 2010, its largest source of bilateral development assistance, having provided a total of US\$5.8 billion to Cambodia as of December 2018 (58cam 2018). More than half of these aid projects involve transport (mostly road development or improvement) and energy (mostly high-voltage transmission lines), supported by concessional loans and preferential export buyers' credits (CDC n.d.[b]). As of mid-2019, Cambodia's total outstanding foreign debt stood at US\$7.22 billion. Of this amount, 48 per cent was owed to China through interest-free and concessional loans (MEF 2020).

Cambodia's Energy Sector

Cambodia's unreliable and expensive power supply was for many years a major barrier to investment. Throughout the 1990s and 2000s, Cambodia relied on expensive and polluting diesel-powered generators and electricity imports from Thailand and Vietnam. Only in the early 2010s, as hydropower and coal power plants—the majority of which were financed and developed by Chinese actors—began to come online was there a shift towards domestically generated power.

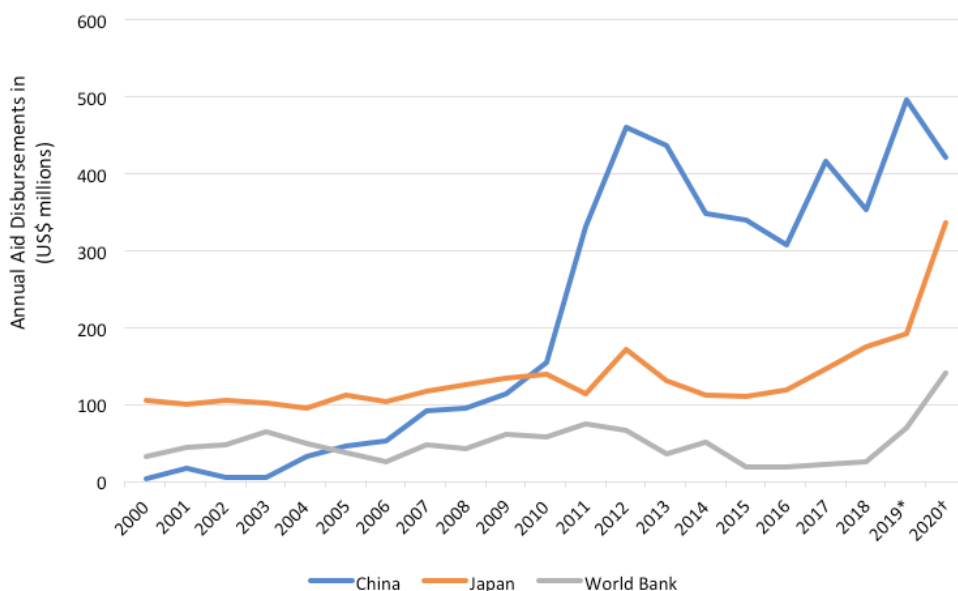


Figure 2: Chinese Development Assistance to Cambodia, 2000–2020. Source: CDC (2020).
* estimated; † projected

China's role in Cambodia's energy sector is now so extensive that, as of 2018, almost three-quarters of the domestic power supply came from Chinese-built and financed power plants (Mao and Nguon 2018). All of Cambodia's major hydropower dams—representing just under half of the country's total generating capacity in 2019—were built by Chinese companies with financing coming mostly from China Eximbank and the China Development Bank. Additionally, all but two of Cambodia's operational

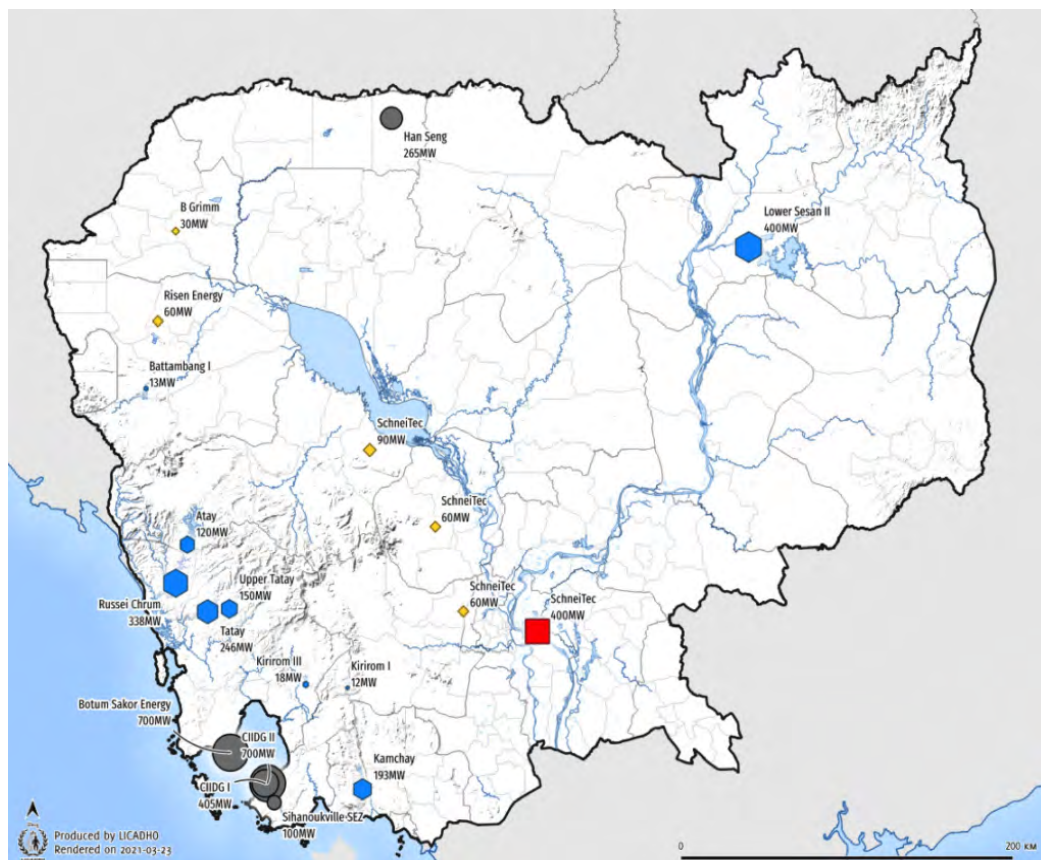
and planned coal plants are Chinese-built and operated; their financing is harder to identify, but the state-owned commercial banks Industrial and Commercial Bank of China and Bank of China are connected to at least two. Energy transmission is the second biggest focus for Chinese concessional lending in Cambodia, after transport. The majority of these projects have been financed by the China Eximbank and developed by Chinese state-owned companies. According to the then Chinese ambas-

sador, as of mid-2019, around 8,000 kilometres of transmission lines had been built by Chinese companies (Huang 2019).

Expansion of energy coverage and connection has been a key priority of successive Rectangular Strategies, the five-year plans that set the agenda for Cambodia's legislature. At the same time, it has long been a priority for China to support its energy companies to go global—an agenda that has been further promoted through the BRI. In line with these shared priorities, joint documents of the Chinese and Cambodian authorities in recent years have highlighted specific hydro and coal power plants as priority development projects.

Solar projects are now also being approved and developed and, of 10 approved projects, five have

Chinese involvement. A publicly listed firm has developed a 60 MW solar plant in Battambang (CCA 2020); construction of a 30 MW plant in Banteay Meanchey was contracted to Chinese state-owned firms by the Thai project owner (Fresh News 2021); and Chinese solar giant JinkoSolar is providing equipment to three solar parks (Bhambhani 2020). A Cambodian–Chinese joint venture is also conducting a feasibility study for what could be Cambodia's first wind farm (CCA 2021). Table 1 lists all the energy projects that have connections to Chinese companies as developers, constructors, or suppliers, and shows that in terms of output, fossil fuel projects are dominant (2,570 MW), followed by hydropower (1,490 MW), with renewables some way behind (320 MW).



Source: Supplied by Licadho.

Project	Type	Location	Status	Value	Output
Kirirom I [*]	Hydro	Kampong Speu	Operational	US\$15.5m	12 MW
Kirirom III [*]	Hydro	Koh Kong	Operational	US\$47m	18 MW
Kamchay [*]	Hydro	Kampot	Operational	US\$280m	193 MW
Stung Atay [*]	Hydro	Pursat	Operational	US\$255m	120 MW
Stung Tatay [*]	Hydro	Koh Kong	Operational	US\$540m	246 MW
Upper Stung Tatay [*]	Hydro	Koh Kong	Under preparation	US\$400m	150 MW
Lower Russei Chhrum [*]	Hydro	Koh Kong	Operational	US\$538m	338 MW
Lower Sesan II [*]	Hydro	Stung Treng	Operational	US\$800m	400 MW
Battambang Multipurpose Dam [†]	Hydro	Battambang	Operational	US\$100m	13 MW
CIIDG I [*]	Coal	Preah Sihanouk	Operational	US\$660m	405 MW
CIIDG II [*]	Coal	Preah Sihanouk	Under construction	US\$1.3b	700 MW
Sihanoukville SEZ [*]	Coal	Preah Sihanouk	Under construction	Unknown	100 MW
Botum Sakor power plant [*]	Coal	Koh Kong	Under preparation	US\$1.3b	700 MW
Trapaing Prasat power plant [*]	Coal	Oddar Meanchey	Under construction	US\$294m	265 MW
Kandal dual-fuel power plant [†]	Heavy fuel oil / LNG	Kandal	Under construction	US\$380m	400 MW
Kampong Speu [§]	Solar	Kampong Speu	Operational	US\$76m	80 MW
Battambang [*]	Solar	Battambang	Operational	US\$50.9m	60 MW
Banteay Meanchey ^{ts}	Solar	Banteay Meanchey	Operational	Unknown	30 MW
Kampong Chhnang [§]	Solar	Kampong Chhnang	Operational	US\$58m	60 MW
Pursat [§]	Solar	Pursat	Under construction	Unknown	90 MW

Table 1: Energy Generation Projects Developed, Constructed, or Supplied by Chinese Companies in Cambodia. * Chinese developer/investor; † Chinese construction; § Chinese equipment supplier
Source: Data collected by author from company reports, press releases, and media reports.

Cambodia's Shifting Energy Mix

Until recently, Cambodia's energy sector did not rely heavily on coal power. This has now begun to change. With Cambodia previously relying on hydropower for around 50 per cent of its energy needs, the drought of 2019 exposed the country's vulnerability in meeting domestic power demand. As a consequence, several coal-related projects that had been under lengthy study over the previous few years were given a boost.

Two trends are at play here: increasing reluctance to launch new hydropower projects, and a turn to coal power to expand energy production. Hydropower projects in Cambodia have been controversial and have met with resistance from local people and environmental groups. This was most evident in the controversy around the Lower Sesan 2 Dam in northeastern Cambodia, the development of which was led by a subsidiary of Chinese state-owned Huaneng Group (Ogonda 2014). However, with the most commercially attractive tributary dams constructed and already in operation, there has been approval of only one major new dam in recent years, the Upper Stung Tatay in the southwestern province of Koh Kong. A long-running concern for environmentalists had been the potential development of dams on the Mekong mainstream in Kratie and Stung Treng, which would displace thousands of people and have severe impacts on the river's ecology. In March 2020, the Ministry of Mines and Energy informed the media that there were no plans to dam the mainstream of the Mekong in Cambodia in the next 10 years (Prak 2020).

With hydropower proving controversial and susceptible to unpredictable weather trends, the Cambodian authorities have now turned to coal to expand energy production. Recently approved power projects include two new coal plants, in Oddar Meanchey and Koh Kong, which were green-lit with minimal public engagement and consultation, despite their potentially extensive social and environmental impacts (Khorn 2020; see also the profile for the Botum Sakor Coal Power Plant in the Map). As mentioned above, 10 solar

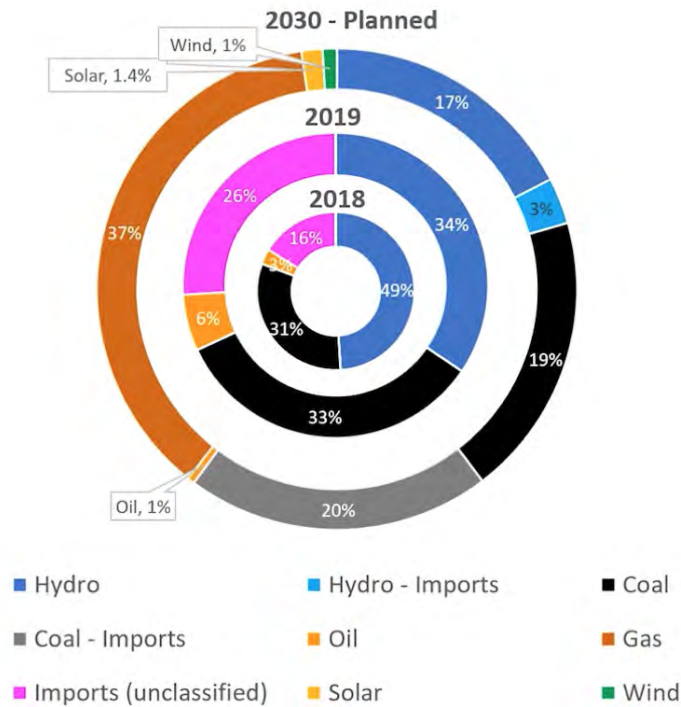
projects have been approved, but these are much smaller in terms of value and output and have been eclipsed by the approval of new coal plants and a dual-fuel power plant on the outskirts of Phnom Penh, which operates during peak-demand periods and is currently running on heavy fuel oil and will later incorporate liquefied natural gas (LNG). Cambodia also has plans to expand LNG use nationwide, and a well-connected local company has signed a cooperation agreement with China's state-owned CNOOC Gas & Power Group to receive LNG from China, with licences to distribute nationwide (Xinhua 2020a).

If the current trends in Cambodia's energy planning continue, the country is on track to an energy mix that is more than 75 per cent dependent on fossil fuels by 2030—a huge jump from the 31 per cent in 2019 (Zein 2020).

Coal Power: Addressing Energy Needs, But at What Cost?

The local and global impacts of coal power projects are well documented. Coal plants create air and water pollution, wastewater discharge can raise water temperatures and damage fisheries, extensive water use can limit water access for local people, and increases in the number of coal-burning plants further exacerbate the climate crisis. To make things worse in Cambodia, public information on the impacts of operational plants is very scarce—and all but nonexistent for the recently approved projects. To date, only basic information has been released, and public participation in the development process has been minimal. Environmental impact assessments have reportedly been conducted, but not published, and local nongovernmental organisations (NGOs) have been unable to obtain project documents.

One major obstacle for local civil society in Cambodia is the fact that the country's environmental management agencies lack capacity and resources, and monitoring systems are rudimentary. For instance, a major concern that has emerged



Source: EnergyLab (n.d.).

around existing plants in coastal Preah Sihanouk Province is management of coal-plant waste. Three plants currently operate in the area, two owned by a private Malaysian company and one by a Cambodian–Chinese joint venture. Local companies purchase waste coal ash from the plants and process it for use in cement to increase its waterproof properties. At least one cement plant has been reported on multiple occasions for causing severe pollution in neighbouring villages due to a failure to properly manage dust during the processing of the ash. This eventually led to the Ministry of Environment ordering its closure (Lay and Sao 2021). In this case, it took years for action to be taken against a single associated project, despite clear negative impacts and violations of environmental codes. This brings into question the capacity of authorities to monitor and regulate the much larger impacts associated with the coal plants themselves.

To further complicate matters, all these plants—and, more broadly, the Cambodian energy landscape—have some link to well-connected local tycoons, who often operate beyond the reach of the law. In addition to the five coal plants listed above, there are a further two Malaysian-invested plants and three that are being studied by Cambodian–Chinese joint ventures. All 10 projects have a direct connection to a local *okhna*—a honorific title bestowed on civilians who have made contributions of US\$500,000 or more to the Cambodian Government (Cheang 2017). These actors are linked to the projects either through ownership of the land on which the developments are located or as joint-venture partners (or both).

Approval of the new coal plants also caused alarm among global companies that source from Cambodia. A growing number of global brands, including several major companies that produce in or source from Cambodia, have signed on

to the RE100 initiative. Under RE100, companies commit to work towards producing in and/or sourcing from factories that are 100 per cent powered by renewable energy or, when this is not possible, to offset the difference. The more coal present in Cambodia's energy mix, the more expensive those offsets will be, which could push companies to relocate to Vietnam or elsewhere. In August 2020, five major global brands—H&M, Adidas, Puma, Gap, and Specialized—articulated these concerns to the Cambodian Government in a private letter obtained by regional media (Turton 2020c). These are major players in the country, with Adidas suppliers alone reportedly employing 80,000 Cambodians (McIntosh 2021). Swedish clothing company H&M, one of Cambodia's top international buyers, has made its position known to the Cambodian Government and the public that if grid energy does not become cleaner, 'industry will find more attractive countries that are able to offer such energy opportunities' (Ford 2020).

The Broader Economic and Development Impacts

If brands do begin to leave, the economic impacts for Cambodia could be huge, as the garment sector (along with tourism and construction) is one of the backbones of the economy. In 2019, Cambodia exported industrial products worth US\$11.18 billion, 83 per cent of which were garments, footwear, and travel goods (Xinhua 2020b). The sector employs at least 800,000 people, mostly women (Turton 2020b). If the sector becomes uncompetitive, moving to Vietnam or other destinations may become a more attractive option for foreign companies. In addition, although Cambodia is diversifying to other non-garment manufactured products, such as bicycles, furniture, and electronic components, these producers will face similar pressures from buyers with climate commitments. For example, Specialized, which signed the letter to the Cambodian Government mentioned above, is a major bicycle manufacturer.

China can only play a limited role to mitigate this potential decline. Although China is Cambodia's largest trading partner, with total trade reaching US\$8.53 billion in 2019 (Mao and Gao 2020), and the two countries committed to increase this to US\$10 billion by 2023 (Kingdom of Cambodia and the PRC 2019), bilateral trade is heavily imbalanced, with imports from China representing 88 per cent of Cambodia's total trade volume in 2019 (Trading Economics 2021a). The bulk of these imports are materials and machinery used in the garment industry (Trading Economics 2021b). Cambodia's manufacturing industry is heavily export-oriented, with the majority of garment factories set up to produce clothing for markets in Europe and the United States. This has been encouraged by the access Cambodia has to preferential trade schemes. Under the Everything But Arms (EBA) initiative, Cambodia can export products to the European Union free from import duties and quotas and, under the US General System of Preferences (GSP), specific products including garments, footwear, and travel goods enjoy preferential treatment. Even where garment factories are wholly Chinese-owned and utilise materials produced and cut in China, products assembled in Cambodia can benefit from these relaxed tax regimes.

In August 2020, in response to human rights concerns, the European Union withdrew EBA status for 20 per cent of Cambodian products (EC 2020). This caused serious alarm within the private sector, which feared the negative impacts it could have on an industry with often low profit margins. In the wake of the EBA withdrawal, more than 20 international brands made a rare direct call to the Cambodian Government to implement reforms to address EU concerns (Turton 2020a). A drop in trade with the European Union did indeed occur after the partial EBA withdrawal, but it was largely absorbed by steadily increasing exports to the United States, which overtook Europe as Cambodia's top trading partner in 2020 (Turton 2020d). This position is, however, somewhat precarious, due to the ongoing friction between the United States and Cambodia, much of which revolves around concerns regarding China's expanding influence in the country. With trade shifting heavily

towards the United States in recent years, Washington holds significant leverage over Cambodia, should it choose to use it.

This is not simply an issue that concerns the political and trade relations of Cambodia, the European Union, and the United States; China is also deeply implicated. As production costs and trade barriers have made production in China more expensive, Chinese companies have gone global, establishing manufacturing bases in countries where operating costs are lower and trade tariffs less onerous, like Cambodia. Chinese owners today account for the largest share of Cambodia's garment factories. As of 2021, more than 50 per cent of the members of the Garment Manufacturers Association in Cambodia were from mainland China (GMAC 2021). Many set up shop in the country to take advantage of lower operating costs and the aforementioned preferential trade agreements. Several Chinese-invested special economic zones (SEZs), which largely focus on low-end manufacturing, expressly reference preferential market access in the European Union and the United States in promotional materials as advantages to companies who set up in their zones (SSEZ n.d.[b]). The loss of these trade privileges therefore represents a potentially significant blow to Chinese companies—one that will be further exacerbated by the move towards fossil fuel dependence, raising production costs, and again making Cambodia a less desirable supplier of manufactured goods.

With external pressure building and withdrawal of the EBA looking very likely, the Cambodian Government began discussing new bilateral trade deals with various countries. Negotiations with China moved forward rapidly and, just two months after the EBA decision, the Cambodian and Chinese authorities signed a bilateral free-trade agreement (FTA). Finalised in just seven months, this was the first FTA China signed with a least-developed country (Jia 2020). It is set to come into force in 2021 but, contrary to much rhetoric from both sides, it is unlikely to bolster Cambodia's garment industry. Chinese companies have specifically set up in Cambodia as a base for global exports and their buyers remain Western, not Chinese.

All of the above comes on top of the COVID-19-related woes that have besieged Cambodian industry. In November 2020, local media reported that at least 110 factories had closed, leaving more than 55,000 people without jobs (Mom 2020). Although dozens of new factory projects were also approved in 2020, the impacts of the pandemic were still felt acutely by workers. In addition to factories closing, many suspended operations or reduced overtime, leading the government to provide cash handouts from emergency response funds to 330,000 people (Long 2020). The community spread of the virus that began in February 2021 has since spread to factory areas and led to a lockdown of Phnom Penh, with the harshest restrictions applying in several hard-hit factory zones (RFA 2021).

The Infrastructure Intersection

In such a fraught context, the intersection between private-sector investment, trade preference withdrawal, and fossil fuel dependence has major significance for China's broader role as the leading financier and developer of infrastructure in Cambodia. In 2015, the Council for the Development of Cambodia and China's National Development and Reform Commission (NDRC) signed a memorandum on industrial investment cooperation. This draws together various aspects of Chinese investment cooperation, directly linking infrastructure development to industrialisation and manufacturing (NDRC and CDC 2015). Subsequent communiqués have reiterated these commitments, referring to specific projects that directly support industrial expansion, including SEZs, roads, and power plants.

This cooperation draws together both Chinese state-backed projects and private-sector investment from China. As we have seen, hydropower and coal projects are financed largely by China's state policy banks and, in some cases, by majority state-owned commercial banks. These projects then often link to the grid—and therefore to population centres and developing industrial

zones—through high-voltage transmission lines financed by concessional and preferential funding from China's Eximbank. Transport infrastructure, including the flagship Phnom Penh–Sihanoukville Expressway, financed by the China Development Bank, enhances linkages that aim to improve conditions for the transport of people and goods and further develop industry and trade conditions. This directly supports Cambodia's realisation of its Industrial Development Plan, which envisions the development of key industrial regions, and also creates a foundation for continued Chinese investment from both private manufacturers and state-owned enterprises in construction and, potentially, future heavy industry.

The Sihanoukville SEZ (SSEZ; see the relevant profile in the Map) offers a useful example to illustrate the extent to which trade preferences and energy development choices could impact Chinese interests in Cambodia. A joint venture between a large Wuxi-based private enterprise and a company owned by a local tycoon, the SSEZ is often referred to by both Chinese and Cambodian governments as a flagship BRI project. From the outset, the SSEZ has enjoyed strong state support from both countries and benefits from its proximity to various Chinese-funded infrastructure projects. Currently, most tenants are private Chinese companies focusing on light-industry manufacturing, and, in the long-term, the zone plans to employ 100,000 workers across 300 factories (SSEZ n.d.[a]).

Among the 'investment advantages' touted by the operators of the SSEZ is Cambodia's 'favourable trade status' (SSEZ n.d.[b]). With the SSEZ focusing on Western export markets, the partial EBA withdrawal and any other future limitations on trade preferences will have serious impacts on the profits of tenants, as well as the attractiveness of the zone to potential future investors. This is further complicated by the fact that the zone is currently building its own dedicated coal power plant to ensure reliable power supply. While on one hand this can be pitched as a selling point for potential investors, it also means that production at the SSEZ will soon be 100 per cent coal-powered, which will effectively mean that international buyers with climate commitments will eventually cease sourcing from factories within the zone.

Building a Green Belt and Road

In September 2020, President Xi Jinping surprised many by announcing to the United Nations General Assembly that China aims to achieve peak carbon dioxide emissions before 2030 and plans to go carbon-neutral by 2060 (McGrath 2020). This commitment applies to China's domestic emissions but has important implications for overseas projects as China is the world's top developer of coal power plants. Data published by Boston University's Global Development Policy Center document the Chinese policy banks and firms involved in 777 power plant investments in 83 countries between 2000 and 2018 (Ma 2020). Almost three-quarters of these projects, 40 per cent of which were in South-east Asia, were funded by China's policy banks.

There is a gradual shift taking place in Chinese overseas energy investment, with renewable energy investment on the rise (Springer 2020). In 2020, renewable energy projects moved forward in a number of countries, including Cambodia's neighbours Vietnam and Myanmar. However, Chinese renewable energy companies face challenges to expanding globally. Overseas wind and solar projects tend to be much smaller than fossil fuel projects and are less likely to receive Chinese state financing. Chinese overseas renewable investment is held back by both 'pull' and 'push' factors (Kong and Gallagher 2021). On the one hand, many countries do not prioritise seeking financing for renewables expansion; on the other, China's policy banks often view overseas renewables as unattractive as they have less experience financing such projects, which are often small scale and distributed, rather than grid-based. In the words of one bank official, these projects are 'pocket change' and banks prefer large, grid-connected energy projects valued in the hundreds of millions of dollars (Kong and Gallagher 2021: 4).

If China does follow through on its climate commitments, it will set an important example, and could put Chinese finance and firms in a strong position to support energy transitions in countries where they are active. In many cases, countries that are hosting Chinese energy projects do not have

carbon-neutrality commitments and coal power is seen as an accessible and proven source of the energy required to fuel economic growth. China can in part address this with policies and incentives that encourage its own banks and companies to more vigorously pursue overseas renewables investments and assume the role of a global climate change leader, rather than an exporter of emissions.

For the time being, in Cambodia, Chinese developers and financiers are supporting energy projects that are prioritised by the Cambodian Government, reflecting the power of the ‘pull’ factor discussed earlier. This is consistent with the general approach taken by China’s corporate and state actors overseas, but there have been signs of a shift in rhetoric in the past year. In Xi Jinping’s speech to the Boao Forum in April 2021, he emphasised the need for ‘green and clean cooperation’ in the BRI, highlighting green infrastructure, energy, and finance as priorities. The previous month, a leaked letter from China’s embassy in Bangladesh to the country’s Ministry of Finance stated that China will no longer consider projects with high pollution or energy consumption—explicitly mentioning coal power plants—for government-to-government cooperation (Chakma 2021).

Shifting to lower-carbon development models both inside China and overseas will require significant policy shifts at the state level, and banks and companies active abroad will need to drastically rethink their investment priorities. Countries like Cambodia have limited experience with renewable energy projects and often regard such ‘new technology’ as unproven and therefore less attractive. China is well positioned to raise the capacity of its counterparts in Cambodia to create an environment that enables expansion of renewable energy, but this will not happen without proactive interventions. As mentioned above, Cambodia’s rapid approval of new fossil fuel projects following the drought of 2019 was likely made under extreme pressure, after the country was gripped by serious daily blackouts. Since then, new solar projects have moved forward, connected to the grid, and demonstrated they can produce at prices significantly lower than coal. Independent assessments indicate that Cambodia has much higher potential for solar and wind power than previously projected by

the government (McIntosh 2021). Chinese stakeholders are well placed to support the realisation of this potential.

Time to Reassess Priorities

Since the early 2000s, Chinese overseas investment has been driven by its formidable state machinery, financed by policy banks, and developed in large part by state-owned enterprises. The BRI continues this trend, and the export of a development formula dominated by state capital is a key feature of the initiative. State-backed infrastructure developments create a foundation on which both state-owned and private enterprises can go out, gain footholds for overseas production, and increase access to global markets. These motivations have linked up well with the Cambodian Government’s development priorities, which revolve in large part around expanding its export-oriented manufacturing industry, developing infrastructure to attract more domestic and foreign investment, and, in the process, generating employment for its youthful population.

Cambodia is an important case study in how Chinese capital is increasingly integrated into global systems. Still holding dear to the principle of non-interference, China has remained silent on the issues that led to the European Union withdrawing trade preferences. However, Chinese investment does not and cannot exist in a vacuum. Human rights issues will impact on companies that are integrated into global supply chains, as evidenced by the partial withdrawal of EBA benefits. Likewise, supporting Cambodia’s growing dependence on fossil fuels to power industry comes with the serious and paradoxical risk of undermining the same industry by pushing away buyers and limiting market access. If China is to continue to support the industrialisation and expansion of Cambodia’s export economy, in which Chinese state and private interests are now deeply embedded, a reassessment of priorities needs to occur. ■



A Disappointing Harvest

China's Opium Replacement Investments in Northern Myanmar Since 2009

Rubber tree plantation in Myanmar. PC: Dale Winling (CC).

Edmund DOWNIE

Chinese small and medium-sized enterprises (SMEs) are understudied participants in the surge of Chinese outbound investment since the mid-2000s. This essay examines the fortunes of SME participants in the Opium Replacement Planting (ORP) program, a subsidy scheme established in 2006 for agricultural investments by Chinese firms in former opium-growing regions of northern Myanmar and Laos. The struggles of ORP firms in Myanmar highlight the importance of focused risk-assessment training and capacity-building work for Chinese SMEs in their outbound investments, especially where subsidies are involved. There is an extra black line under the heading 'Background and Early Stages'.

The launch of the 'Going Out' strategy in 1999 precipitated more than a decade of rapid growth in Chinese outbound investment activity. From trivial levels in the late 1990s, Chinese outbound foreign direct investment (FDI) reached US\$20 billion in 2006 before surging up to US\$196 billion in 2016, according to data from the Ministry of Commerce (MOFCOM 2017; MOFCOM et al. 2007). The past several years, however, have seen China's first major FDI retrenchment in the post-Going Out era, with MOFCOM-reported outbound FDI volumes down to US\$137 billion in 2019 (MOFCOM 2020).

Much commentary on this shift has focused on the decline in outbound infrastructure investment and lending. Boston University's Global Development Policy Center, for instance, reported, as of May 2021, a roughly 95 per cent drop in its database of lending commitments by China's two major

policy banks to governments, intergovernmental bodies, and state-owned entities between 2016 (US\$75 billion) and 2019 (US\$3.9 million) (Ray et al. 2021)¹. More than half of the commitments in its dataset from 2008 to 2019 were for infrastructure projects (Ray and Simmons 2020). Large-scale infrastructure projects represent some of the most visible and well-publicised forms of Chinese outbound investment, with national-level government-to-government coordination, high project costs, and the involvement of China's largest state-owned enterprises (SOEs).

The outbound activities of China's small and medium-sized enterprises (SMEs) are more difficult to track. Domestically, SMEs are the bulk of the Chinese economy, accounting officially for more than 60 per cent of gross domestic product (GDP) and 80 per cent of urban employment as of 2018 (Xinhua 2019). But public data on Chinese SMEs' outbound investment are limited. Their investments are necessarily more disaggregated and on a smaller scale; the average outbound investment project by SMEs from Zhejiang Province in 2014 (excluding joint ventures) was just US\$96,700, according to Chinese SME researcher Chen Nan (2016: 31). Their projects also may not take place through channels captured in either Chinese or host-country reporting. The sectors in which they concentrate, however—such as low-end manufacturing, services, and agroindustry—can have significant effects on local livelihoods, with higher local labour intensity and, in the case of agriculture, substantial land requirements (Xia 2019: 13; China Textile Industry Federation 2018: 4; Shen 2013: 7). These are also the sectors in which transaction costs can diminish significantly with the types of connectivity infrastructure upgrades driven by large SOEs; in this way, facilitating outbound SME investment represents one channel by which the Chinese state actualises potential gains in economic integration from infrastructure investment.

The recent retrenchment in outbound infrastructure lending, in addition to shifting domestic economic circumstances, reflects a process by which the Chinese state has sought to absorb the lessons of earlier waves of outbound investment relating to challenges of political risk and commercial sustainability.

Big-ticket infrastructure investments, largely undertaken by large SOEs, have attracted much research. SMEs can face many of the same basic challenges, but with a different set of strengths and weaknesses. Their status (in almost all cases) as private actors can offer greater flexibility and responsiveness in adjusting to shifting business conditions. But they often have weaker access to a host of resources that SOEs can leverage in managing outbound investment risk: international business expertise and access to financing, as well as close state support (Wang et al. 2020: 33).

China's Opium Replacement Planting (ORP) program captures how those risks can end up severely harming the commercial profile of SMEs' outbound investment, particularly when accompanied by promises of subsidies. Since the early 1990s, authorities in Yunnan Province have been supporting crop-substitution projects by Chinese firms in former opium-growing regions just over the border in neighbouring Myanmar and Laos. These efforts, undertaken almost entirely by Yunnan-based SMEs, expanded significantly in the mid-2000s with hundreds of millions of renminbi in support from central authorities and reached 2,000 square kilometres across both countries, according to Chinese researchers.

These efforts prompted fierce debates between Chinese supporters and international sceptics, who regarded the program as a driver of peasant dispossession and environmental degradation with little impact on opium cultivation (Kramer and Woods 2012). Less well known, however, is that, since 2009, civil war and market fluctuations have severely undermined the profitability of ORP firms' investments in Myanmar, and ORP program subsidies proved a limited and at times unreliable tool for offsetting these risks.

Background and Early Stages

Assessing the fortunes of Chinese opium-replacement planting in northern Myanmar over the past decade requires a grasp of the complex

political environment in Myanmar within which these initiatives take place. In the decades since achieving independence from the British Empire in 1948, the central government of Myanmar has never been able to fully assert political authority outside the central lowlands straddling the Irrawaddy River, which is the heartland of the Burman ethnic group. In the far northern hills, a number of ethnic armed groups (EAGs) have claimed authority over the China–Myanmar borderlands of Kachin and Shan states. In these regions, they contend for power with units from the Burmese army (the *Tatmadaw*), which has ruled the country intermittently for most of the past 50 years and retaken power in a February 2021 coup from Myanmar’s most recent civilian government, which was established during the early 2010s.

Conflict among these various power players in northern Myanmar has been entangled with the drug trade since the early days of independence. From the 1950s through to the 1970s, a succession of armed groups in the Shan State borderlands developed large-scale opium cultivation and trading operations to fund their activities, including anticommunist Kuomintang (KMT) units in the 1950s that had fled to Myanmar after their defeat in the Chinese Civil War (1945–49), and *Tatmadaw*-aligned militias in the 1960s and 1970s (Lintner 2000). The Communist Party of Burma (CPB) emerged as a major sponsor of the opium trade during the 1980s, after the Chinese Communist Party withdrew its support for the organisation after the end of the Cultural Revolution in the late 1970s. The CPB’s embrace of opium cultivation drove dramatic production increases that would turn Myanmar into the world’s largest opium producer. After a mutiny in 1989, those production networks would be inherited largely by the CPB’s three successor groups in Shan State: the United Wa State Army (UWSA), based in the Wa Hills opposite Pu’er Prefecture in Yunnan, and the most powerful EAG in northern Myanmar today; the Myanmar National Democratic Alliance Army (MNDAA), based in the Kokang region opposite Lincang Prefecture in Yunnan; and the National Democratic Alliance Army (NDAA), based in the

area around Mongla Township opposite Xishuangbanna Dai Autonomous Prefecture in Yunnan (UNODC 2001: 49, 2017: 3; Lintner 2019: 10).

Yet expanding opium cultivation in the borderlands was not welcomed so enthusiastically within China. The cross-border narcotics trade between Myanmar and China first began growing from the late 1970s, alongside the expansion of cross-border exchanges and broader transformations in Chinese society that followed the end of the Mao Zedong era and the opening of the Chinese economy in the late 1970s. These flows continued to expand during the 1980s amid the CPB-led opium boom and emerged as a major public health concern in neighbouring Yunnan Province, which in response developed some of the China’s earliest drug addiction treatment centres and professional anti-narcotics expertise (Chin and Zhang 2007: 7–9; 2015: 210, 230–31).

As a result, the drug trade has become an important issue in China’s relations with the EAGs. Chinese authorities supported crop-substitution efforts as part of their formal narcotics-control toolkit starting in the early 1990s, in the EAG territories of northern Myanmar and the borderlands of northern Laos. The first effort was a series of small-scale experiments in the 1990s and early 2000s undertaken by border counties in cooperation with neighbouring EAG elites in northern Myanmar and Laos. Central authorities consolidated and built on these efforts with a 2006 order that authorised a series of new regulatory supports, administered by Yunnan Province and funded largely by the Chinese central government. Most important was the provision of tax exemptions and import quotas, which offered legal importation routes for crops like rice, corn, and sugar that would otherwise have to rely on small-volume border trade or smuggling to avoid severe import tariffs.² The focus remained on EAG-controlled territories in the borderlands. EAG leaderships in Wa, Mongla, and Kokang forcibly banned opium cultivation in their territories during the 1990s and early 2000s, partly in response to Chinese and international pressure. The 2006 order spoke of eradicating opium cultivation and heroin production in target territories within 15 to 20 years by

supporting local economic development, starting with agriculture and expanding eventually into industries like processing, mining, and tourism (State Council 2006).

The expansion of the ORP program in the mid-2000s prompted a surge of agricultural investments by Chinese firms in borderland EAG territories. The Yunnan Bureau of Commerce (BOFCOM) reported that the number of ORP program enterprises increased from 71 in 2005 to 198 in 2009, and statistics from a Chinese academic reported 127 ORP-backed firms with investments in Myanmar in 2009, more than three-quarters of which targeted EAG-administered ‘special regions’ (Yunnan BOFCOM 2009; Shao 2013: 190). Investors with ORP program affiliations received hundreds of millions of renminbi during this period in import tax exemptions and direct subsidies for their projects, and major crops registered under sponsored projects included rubber, corn, rice, and sugar, among others (Yunnan BOFCOM 2009; Shao 2013: 186). According to the Opium Replacement Office at the Yunnan BOFCOM, in 2010, the bulk of these firms were ‘small and medium enterprises ... from Yunnan border regions’ (Yunnan BOFCOM Opium Replacement Office 2011: 235). Even ORP program quota applicants from the provincial capital of Kunming had a median registered capital—representing capital subscriptions by shareholders, and often exceeding the amount of capital actually injected by shareholders—of just over US\$1 million. In contrast, one of the largest firms participating in the ORP program, the provincially owned rubber giant Yunnan State Farms, had registered capital of US\$121.5 million in 2009 (Kunming BOFCOM 2009).

ORP Firm Struggles in the 2010s

The background paper for the Second International Conference on Alternative Development in 2015, an event sponsored by the United Nations Office on Drugs and Crime and the Thai and German governments, cited influential research by Woods

and Kramer to state that the ORP program ‘mainly benefits local authorities and Chinese businessmen instead of the local opium growing communities’ (ICAD-2 2015: 14). But firms which participated in the investment surge of the late 2000s have faced enormous commercial challenges over the past decade. The resumption of conflict and a decline in rubber market prices made production in Myanmar riskier and less profitable for many firms—challenges the limited and at times unreliable subsidies associated with the ORP program could only partially offset.

The ORP program’s expansion during the late 2000s took place in a period of relative stability in northern Myanmar produced by ceasefires between the *Tatmadaw* and major EAGs from 1989 onwards. It was by no means a risk-free zone for investors. They still faced concerns about expropriation and threats to physical safety in a region where the key power players were military and paramilitary groups (Liu 2011), but the ceasefires promised at least a minimal level of political stability.

From 2009 to 2011, however, *Tatmadaw* ceasefires with the MNDAA in Kokang and the Kachin Independence Army (KIA) in Kachin State broke down and the ensuing clashes displaced hundreds of thousands of civilians (Buchanan 2016: 19; Buckley 2009; The Irrawaddy 2014). The following decade has continued to see waves of conflict between the KIA and its allies and the *Tatmadaw* (Qiu 2014). These conflicts turned some of the sites of Chinese agribusiness investments in these regions into battlefields, with new risks of landmines, property confiscation, and more widespread extortion in the form of protection fees (Lushui County BOITIT 2011; SAFE Yunnan Branch 2018; Shao 2013: 194–95; Woods 2018: 19; Yang 2014: 90). In August 2012, Yunnan BOFCOM Vice Minister Yang Hui described the cumulative effects of the turmoil on ORP firms in these terms: ‘Because the situation in northern Myanmar is not stable, and there are many elements of instability and hidden threats to safety, the confidence of firms has suffered a heavy setback’ (Yang 2013: 66).

The resumption of conflict coincided with a major re-evaluation of the ORP program’s pace

of growth. Public statements by officials and businesspeople involved with the program described a ‘three no-increases’ (三个不增加) policy instituted around 2009–11: ‘No increase in the number of ORP firms, no increase in the number of ORP products, and no increase in ORP planted land’ (Menglian County BOICIT 2012). Public data on firm-level ORP quota applications suggest the three no-increases policy largely closed off the program to firms that did not at least claim to have already established agricultural investments in Laos and Myanmar by 2009 (Dehong Unity News 2019; Kunming BOFCOM 2019; Lincang BOFCOM 2019; Pu’er Daily 2019; Xishuangbanna BOFCOM et al. 2019). Conflict was at least one of the motivations for this policy’s establishment, as acknowledged by local Chinese authorities in Dehong Dai and Jingpo Autonomous Prefecture, which borders KIA territory (Dehong BOFCOM 2017).

Meanwhile, ORP firms cultivating one of the program’s most popular crops, rubber, suffered in the 2010s from plummeting market prices. The expansion of central government support for ORP investments in the mid-2000s came amid a decade of surging rubber prices and expanded domestic rubber demand within China, with one Singapore-based global benchmark seeing a real increase of more than 500 per cent (IMF 2016; OECD n.d.). Yunnan is itself one of China’s major rubber-producing regions, and a wave of local producers established new projects in Myanmar and Laos with ORP support amid the program’s expansion, turning rubber into one of the program’s signature crops. The bulk of these investments in Myanmar were concentrated in Wa and Mongla—areas unaffected by the fighting.

Rubber trees take five to seven years before planters can start harvesting them for latex, so plantations established in the mid-2000s would be able to begin producing rubber around the early 2010s. But the rubber price peak in 2011 was followed by a rapid decline, driven by global oversupply. Global rubber prices have remained beneath US\$1.00 per pound since April 2014 and averaged US\$0.75 per pound in 2019—a real decline of 70 per cent since 2011 (IMF 2016). This drop has severely hampered the commercial profitability

of rubber investments in northern Myanmar. A People’s Bank of China researcher in Yunnan reported in 2014 that, ‘even under quota benefit policies, prices for cross-border imported rubber are less than costs’ (Ma 2014: 258). Representatives from a large ORP program—sponsored rubber investor said in an interview in 2018 that they had been unsuccessfully seeking to get a government price floor on rubber in the midst of volatility, as the prices they were receiving for their output had dropped by two-thirds since 2010–11 (Interview #1).

Firms planting crops with ORP program support also contended with limits on the availability of subsidies. The central government order that initiated the ORP program’s expansion in 2006, as well as subsequent implementation regulations from Yunnan Province, proposed a host of different incentives for firms: import quotas and tax exemptions, per-unit subsidies for the total planted land, interest reimbursements, subsidies on financial guarantees, and insurance. As mentioned above, the most important of these supports during the 2010s were import quotas and tax exemptions. However, deeper constraints for SMEs around financing outbound investment, such as an absence of sufficient domestic collateral, hampered the utility of proposed financing supports, while subsidy volume more generally declined over time (Interview #2; Ma 2014: 258; People’s Government of Mengla County 2011; Ruan et al. 2019: 10). Firms persistently expressed reservations that their quotas did not cover their production needs and they sought to enlist provincial and local authorities to lobby the central government on their behalf, with limited success (Bao 2018; Dehong BOFCOM 2018; Yunnan BOFCOM 2019a).

To be sure, it is not unusual for firms and local officials to want more quotas, and for central funders to view matters differently. Indeed, in both Laos and Myanmar, the program faced serious challenges around monitoring the proper use of quotas, as firms overreported the amount of planted land to claim larger quota volumes or resold quotas on secondary markets (Lu 2017: 732; Li 2015: 90; Shao 2013: 24, 197; Interview #3; Shi 2016). BOFCOM authorities themselves likewise acknowledged



Myanmar fields. PC: Thom May (CC).

the risk of encouraging firms' overdependence on subsidies: Vice Minister Hui in 2012 stressed that, in the program's implementation, 'support via the market should be primary [第一位], and government financial assistance should be secondary [第二位]' (Yang 2013: 66).

But SMEs' concerns about quota support also touched on a more basic issue around the timing of import windows. Firms seeking to import to China from Myanmar or Laos under the ORP program were granted authority to do so in specific windows during the year, but the central government's release of quotas to firms was slow and those windows did not necessarily align with firms' needs (Lu 2014: 224). Representatives from two firms with ORP rubber quotas in Laos and Myanmar noted in interviews in 2018 that slow government approval processes and narrow 10-day rubber import windows added difficulties

in getting their crops home (Interviews #3 and #4). Poor import window timing also forced rubber producers to store their product for extended periods—an added expense that also degraded product quality (The Irrawaddy 2015; Shi 2016).

Looking Ahead

The ORP program's expansion and struggles underscore the consequences of subsidising outbound SME investment with minimal regard to their heightened risk profile. In the early years after the post-2006 policy expansion, hefty government subsidies and high prices for commodities like rubber and sugar attracted a surge of overly optimistic investments by Chinese firms with limited resources and expertise. From the start, the Yunnan

BOFCOM's Opium Replacement Office reported, in 2010, that 'enormous political, economic, and safety risks' meant that 'large domestic enterprises stepped back' from ORP program participation, while the SMEs attracted by the program were often not up to the task, as 'their capabilities [实力] are limited ... management and operations capacity levels and reliability among certain firms are low' (Yunnan BOFCOM Opium Replacement Office 2011: 235). The rubber and sugar price declines exposed firms that had overextended themselves in these crops. Other firms suffered substantial losses associated with the civil war. In 2017, the Yunnan BOFCOM described the cumulative effects of these struggles on participating firms in these terms:

At present, replacement planting firms face increasing downward economic pressure, fairly capricious policies by cross-border governments, stubbornly high investment risks, and a tumultuous political environment in northern Myanmar. Firms' burdens are fairly heavy and their interests have suffered harm, and the energy of firms in replacement planting work has shown a level of decline in comparison to the past. (Yunnan BOFCOM 2017: 260)

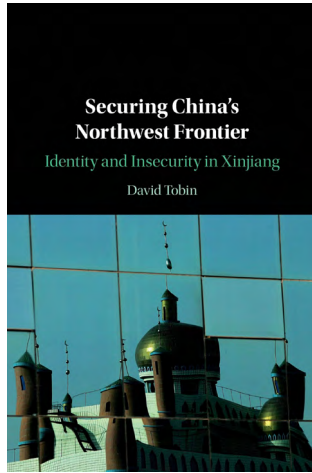
The ORP program persists today with modestly reduced ranks (in at least some prefectures) and a stronger public campaign around reducing quota abuse and reasserting the central place of drug control in the ORP program's mission (Everbright Securities 2020; People's Government of Dehong Dai and Jingpo Autonomous Prefecture 2019; Yunnan BOFCOM 2019b). Official statements suggest there is no likely expansion of quota support on the near horizon (Yunnan BOARA 2020). Meanwhile, major resource-based growth sectors surfacing in Chinese outbound SME investment in Myanmar—like watermelon, bananas, and rare earth elements—have not relied on systematic subsidy schemes for their expansion, with the exception of some ORP program support for the banana industry.

When companies receive subsidies, it increases the risk of ill-advised investments that firms would not consider without state support. But lower expected risk profiles for unsubsidised SMEs' outbound investment do not mean risks are absent. Consolidation and tighter regulation in the rare earth mining industry in China have encouraged an influx of Chinese rare earth SMEs into Myanmar since the mid-2010s, and these operators have had to navigate several temporary bans on rare earth trade along the Yunnan border since 2019 (Roskill 2019a, 2019b). Fighting in Kachin State has disrupted the banana trade periodically across the past decade, while peasant dispossession and environmental degradation associated with banana plantations have attracted local protests and political declarations around intensified regulation, though the concrete impacts of these pledges were murky even before the February 2021 coup (Hayward et al. 2020; Liu 2011; Qiu 2014; Hu and Luo 2020). In this sense, even as the ORP program stagnates, it remains a salient example of the importance of focused risk-assessment training and capacity for Chinese SMEs in their outbound investment activities, in Myanmar and elsewhere. ■

[1] Some critics (for instance, Kenderdine and Yau 2020) have noted the growth of financing outside Chinese policy banks, as well as potential incompleteness in the data for 2019, and questioned whether the Boston University (BU) team's data can support broad claims about trends in Chinese outbound infrastructure financing. But the broad decline in the BU analysis does align with trends observed by other analysts (see Mingey and Kratz 2021).

[2] 'Border resident trade' (边民互市) offers exemptions on import and value-added taxes but must be carried out by border residents in small volumes (< RMB8,000/day) (China Customs Administration n.d.).

CONVERSATIONS



Securing China's Northwest Frontier: Identity and Insecurity in Xinjiang (Cambridge University Press, 2020).

Securing China's Northwest Frontier

A Conversation with David Tobin

Darren BYLER

David TOBIN

Over the past two decades, a rhetoric of terrorism has been used to conflate the criminal actions of a relatively small number of people with the religious and cultural practices of more than 12 million Uyghurs who call the southern part of the Uyghur Autonomous Region (Xinjiang) their ancestral home. This has had a dramatic effect on the ways ethnicity and religion have been lived and controlled through policing, educational programs, and political policy in the region—resulting since 2017 in the mass internment of hundreds of thousands of Uyghurs and others who were deemed ‘untrustworthy’ (不放心). In *Securing China's Northwest Frontier: Identity and Insecurity in Xinjiang* (Cambridge University Press, 2020), political theorist and ethnographer David Tobin examines, among other things, the effects of terrorism rhetoric, policy changes related to ethnicity, the role of class, and urbanisation on Han and Uyghur self-perception. His work is grounded in the context of post-2009 Ürümqi, where he lived and worked for two years.

Darren Byler: Much of the fieldwork for your book was conducted immediately after the violence of 5 and 7 July 2009. Can you explain how the rhetoric of terrorism was used to describe the violence that occurred? Who and what was labelled terrorist? And how was an antiterrorism response enacted?

David Tobin: The case of how contemporary representations of Uyghurs as terrorists and longer-term national identity discourse intersect illustrates how dominant national narratives overlap and interweave, rather than simply replacing each other in new ‘phases’ of history. Confucianism (5,000 years of unbroken civilisation), historical materialism (revolutionary progress), and ethnonationalism (Han chauvinism) are competing national narratives, defining China's identity and history on different terms (civilisation, socialism, and ethnic nationalism). However, in practice, they work together by consistently framing non-Han ethnic identities as problems or potential threats to be overcome with Chinese identity (中华民族). The shift from framing Uyghurs as ‘barbarians’ to ‘backward’, and ‘ethnic minorities’ to threatening ‘terrorists’, is not chronological or total and the same people interviewed, both in leading political positions and working in precarious occupations, often used all

three logics in the same narratives of identity and security. Framing Uyghurs as terrorists maps quickly on to older narratives of barbarians and cultural difference, with alternative national histories and protest becoming rapidly framed as ‘terrorist’ threats to China’s national identity and state power.

The Chinese Communist Party enacts socialism as performative politics to distinguish itself from the West and capitalism. However, its nation-building narratives and practices in Xinjiang were in many ways as ethnocentric as those of European colonial state-builders who assumed their own values to be culturally neutral. The Party-State’s notion of teleological progress always leads to an inevitable future of Chinese identity and the ‘disappearance’ of minority identities. Many European and North American socialists are oblivious to these dynamics because they rely on Marx as performative opposition in their own societies—what Derrida termed the ‘spectres of Marx’. The Party-State replicates the ethnocentrism of Marx and Engels’ historical materialism that John Hobson critiques as Eurocentric and that, as Cedric Robinson shows, conceals how racism and racialised economic organisation have always shaped global economic development.

Reading official narratives and interviewing Han and Uyghurs about their conceptualisation of identity and security during my 2009 fieldwork taught me that signifiers (for instance, ‘terrorism’) and the signified (such as violence, difference) lead separate but interconnected lives. The official language that framed the July 2009 violence (‘evil’, ‘scum of the nation’, ‘life or death struggle’, etc.) enables and constrains how people think about and act on these phenomena. However, like current atheoretical discussions of genocide, the terminology does not radically transform the immediate reality of those phenomena and we must address the same underlying theoretical, empirical, and ethical questions. Why do people feel the need to categorise each other and what are the effects of doing so? Why are some groups identified as threats and how do they respond? What material and ideational conditions make people insecure and more likely to turn to violence?

Global public discussion on state violence in Xinjiang has grown since the emergence of mass internment camps but the terms of debate are often narrowed, and people are expected, first, to respond to official framings (‘reeducation’, ‘terrorism’, rescuing ‘baby-making machines’, etc.) that end debate and promote ethnocentric and Orientalist understandings of China. Second, scholars who publicly engage are pushed into choosing between non-mutually exclusive, politically constructed signifiers (‘counterterrorism’ or ‘reeducation’ or ‘modernisation’ or ‘genocide’). All of these things are happening at once and focusing on these terms by themselves shapes and limits knowledge of identity dynamics and marginalised voices that cannot be reduced to single signifiers. Many of the recent terminological debates’ indifference to Uyghur and other Indige-

nous perspectives remind them they are alone and reflect what Yi Xiaocuo termed ‘perpetual silence’. One diaspora interviewee who has publicly campaigned to speak with separated family members explained to me with tears in their eyes: ‘While the world debates a f***ing word, we are dying.’

In my work, I address the underlying lens through which the Party-State understands violence. It is deeply misleading to analyse violence and identity using billiard-ball causality or by quoting official explanations without consideration of meaning and effects in social context. The 2009 period was described as a ‘turning point’ in official narratives regarding its analysis of the ‘ethnic problem’ and policy solutions. However, the region has been formally described as a peripheral ‘frontier’ to be secured since 1884, the ‘ethnic problem’ has framed all policy construction and the need to secure the region since 1949, and the violence in Baren Township in 1990 was described in similar terms (‘a wake-up call’). ‘Terrorism’ and ‘extremism’ were not used as explanatory devices in policy documents or public narratives prior to 9/11. These terms were adopted in late 2001 to delegitimise widespread Uyghur discontent and maintain the framing of their identities as threats under new material conditions. The street-level tactics of the People’s Liberation Army (PLA), People’s Armed Police (PAP), and Special Weapons and Tactics (SWAT) police during 2009 involved clustered troop deployments, displays of military hardware and troop numbers, and mass policing of all public roads. These crowd-control tactics and displays of state power are generally used because, if troops are facing improvised explosive devices or paramilitary groups, clustering together in such large, stationary deployments would put troops in great danger. It was self-evident that these were crowd-control tactics and displays of state power, deployed to stop population movement, not fight armed organisations.

The Party-State securitises China by placing its identity beyond politics, and opposition to these identity narratives is considered terrorism. The violence by Han workers against Uyghurs at the Shaoguan factory—which at that time was acknowledged by organisations such as China Labour Watch to use coerced labour—was described in official texts as an ‘ordinary public order incident’ (典型的社会治安案件) and that only the ‘Three Evils’ (三股势力) (terrorists, separatists, and extremists) could think otherwise. This state inaction sparked the July 2009 violence. Violence by Uyghurs was subsequently described as a ‘life or death struggle’ (你死我活的政治斗争) for China’s survival while Party-State leaders offered gratitude to Han rioters (‘Thank you, comrades’) for their violence against Uyghurs. Universal ethnic unity education texts from this period, including the *50 Whys* (50个为什么), describe identifying as Uyghur as an act of terrorism: ‘only the Three Evils’ challenge the Party-State’s narrative that Uyghurs are ‘not a Turkic group’ or ‘not an Islamic group’.



The images that accompany this essay are from a public exhibition organised by the provincial government of Xinjiang at Ürümchi's International Expo Centre in 2009 to celebrate the 60th anniversary of the founding of the People's Republic of China. For a discussion, see this article by the author in *positions*. Left: 'The mighty army: the troops of the Xinjiang People's Armed Police' Right: 'Ürümchi People's Square'

One could observe how Han residential areas were lightly policed while Uyghur-populated areas saw constant flashing CCTV surveillance, PLA and PAP armed patrols, marches of armed, untrained Han volunteers, and stop-and-search of non-Han in all public buildings and public transport. Living in a Han-majority area, Han could freely come and go from residential compounds, but all non-Han were questioned by security guards and had to provide ID cards if visiting. One narrative in the official ethnic unity education texts was that a small number of extremists had mobilised 'ignorant' students and controlled their minds (控制思想). This is the same logic that explains mass internment camps today, where 30 per cent of the population are considered 'extremists' and 70 per cent are 'vulnerable to extremism'. Ultimately, this dehumanises every non-Han as a potential threat to China's identity. The fear of these threats can be activated at any time to justify mass violence because Uyghurs are seen as superfluous to China's teleological progress.

DB: One of the key ideas that emerges from your analysis of post-2009 Xinjiang vocational college and junior high school textbooks are discussions of 'ethnic extinction' (民族消亡). Who is 'ethnic' in this framework? Is this used as a justification for the dispossession of place-based modes of minoritised autonomous social life? Was 'extinction' understood to be an intentional project post 2009 or an inevitable outcome of Chinese state power and economic development?

DT: The first discussion of the ‘ethnic extinction’ concept I encountered in my research was from the early 1950s writings on how to construct ethnic policy in the context of China’s ancient history and contemporary state-building. Social anthropologist Jian Bozan warned that newly fashionable accounts of unbroken civilisation were ahistorical and would conceal China’s long history of class conflict and ethnic oppression, leading it on a similar path to the West by using violent assimilation to deal with the ‘ethnic problem’. He distinguishes ‘natural’ assimilation through interaction (同化) from planned social engineering (消亡, *xiaowang*)—terms that were revisited in the 2012 intergenerational ethnic policy debates about how to assimilate non-Han: economic development or planned identity engineering.

The *xiaowang* concept fell out of favour after the Cultural Revolution, being associated with cultural destruction and the genocidal notion that ‘only if there are *minzu* [民族, ethnicities], can there be a *minzu* problem’. Its unannounced return in high school textbooks at least since 2009 appeared alongside colonial narratives that language and ethnic disappearance are natural outcomes of ‘modernisation’ and how the Chinese nation is formed through ‘complementary development’ (经济互补) between the ‘frontier-building culture’ (屯垦文化) of the ‘advanced central plains’ and passive minorities on the ‘backward frontier’. In *xiaowang* narratives, Han identity was formed during the Qin–Han period and has the capacity to absorb and attract other groups, much like older chauvinist narratives of Han identity. The Han are a ‘transcendent group’ (超越民族), in the same way John Locke described the arrival of Christians in North America as offering universal progress or salvation. This culturally blind perspective alongside ethnocentric modernisation narratives again parallels Locke’s dismissal of ‘indolent Indians’ and superimposes ethnonationalism on to a historical materialist framework of progress.

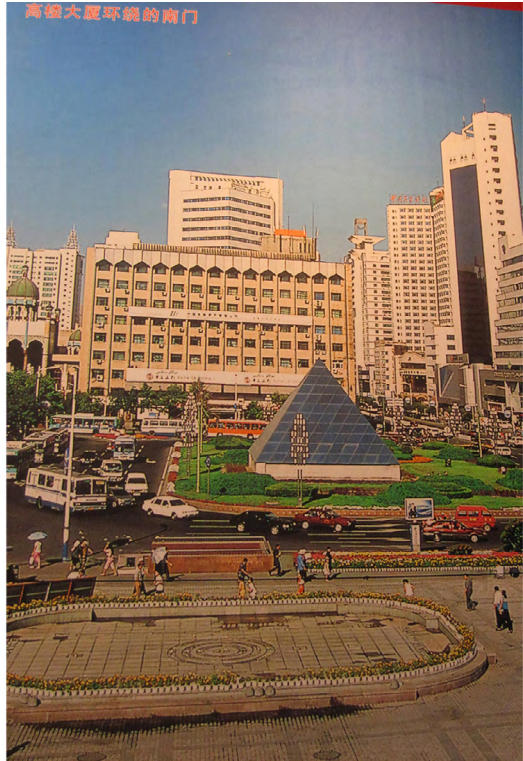
When I speak to non-China specialists, many see this cultural blindness alongside notions of culturally neutral progress as neoliberal. However, these narratives have a much longer history and are semantically hybrid combinations of Chinese and European thought and of culturalism, nationalism, and socialism. ‘Extinction’ is known to be a planned state project, but that project is designed to present itself as culturally neutral, materially inevitable, and beyond reproach. The word *xiaowang* is not hugely significant in itself but the audience’s knowledge of its meaning and its relationship with genocidal practices—from language elimination to repression of religious practices—has serious and widespread displacing effects. The very idea of ‘Xinjiang’ itself—a new frontier on the periphery of China’s civilisation—displaces Uyghur identity by uprooting their attachments to land and place as the centre to their identity, not a periphery. The *50 Whys* listed ‘having too many intra-oasis

contacts' or 'holding intra-oasis parties' as a sign of terrorism, so people's attachment to place is seen as a proxy for Uyghur nationalism and a threat.

DB: How did class difference shape self-identity among Xinjiang Han? Did both migrant and resident Han groups appear to believe that the state supported their presence in Xinjiang? For instance, did low-income Han migrants in Ürümqi have a different relationship to the state than, for example, migrants to Shenzhen or Beijing who often see the state as their enemy? Did you see any variation in how different groups viewed Uyghurs—for instance, those who identified as 'local' Xinjiang people versus those who came as part of the Open Up the West campaign in the 1990s and 2000s?

DT: I avoided mapping class in Xinjiang on to generalised models and use the category loosely, referring mainly to income bracket and occupation, which do not necessarily entail self-identification or class consciousness. The feelings among working-class Han in Xinjiang that the state does not represent their interests, or socialism in general, parallel those that can be found elsewhere in China. This has not resulted in widespread solidarity with Uyghurs, however, who are nevertheless generally described as a threat to their nation using Party-State narratives. Working-class Han I interviewed tended to be critical not only of how the Party-State promoted economic inequality in its focus on large-scale infrastructure and development projects, but also of how it was too tolerant of Uyghur identity by failing to protect Han with state violence. When I explicitly asked working-class Han about solidarity with Uyghurs and other non-Han groups, this was generally dismissed, and people would laugh at the thought. Some interviewees grasped the significance of the question and would explain why it cannot work, including one person stating: 'What foreigners don't understand about China is that it's not socialist! It's a capitalist-communist country. We don't even know who rules us!'

In some senses, the role of 'the Uyghur' in this context parallels how the threat of 'the West' closes human connections and blocks interaction between Han and the world, most recently crystallised in 'white left' narratives (though these are just new iterations of the same power relations). Like in other regions of China and indeed other nations, Han middle classes in Xinjiang refer to working classes as 'vulgar' and 'narrow-minded', seeing themselves as bearers of China's civilisation and diversity. Most Han narratives of their lives in Xinjiang begin with stories about parents arriving to 'open the frontier' (historical materialism) or maintain China's civilisational continuity (Confucianism) or simply that 'this is ours' (ethnonationalism), and map on to the three narratives of Chinese-ness, which include multiple ways of being Han but none of being Uyghur. This diversity enables the working classes to oppose the state and maintain their individual autonomy but results in reinforcing state



Top left: 'First plough of the military reclamation of wasteland' Middle left: 'Dirt roads of nanmen pre-liberation' Top right: 'Nanmen surrounded by tall buildings and plazas' Bottom left: 'Hand-spinning cloth-weaving in Kashgar pre-liberation' Bottom right: 'Young female workers in Kashgar textile factory'.

power and silencing non-Han. In general, the Han working classes identified with ethnonationalism and socialism while the middle classes identified with civilisationism, positioning each other as un-Chinese, partly related to their attitudes towards Uyghurs as inconvertible threats or as backward but essential components of China's civilisation. When I discuss this class divide as a constructed binary or refer to alternative voices among the working class who felt policy was ethnocentric, Han friends tell me that racism is far more ingrained and widespread than I imagine.

DB: Some of my Uyghur interviewees from southern Xinjiang report that, as they were growing up, they rarely heard discussions of East Turkestan. Even their Uyghur-ness was rarely a topic of discussion since it was simply what everyone was in their community. How have urbanisation, Uyghur labour migration, and securitisation shaped Uyghur self-perception and desires for greater autonomy or self-determination? As you were conducting your fieldwork, did you get the sense that most Uyghurs wanted an independent nation-state or were most primarily interested in more pragmatic short-term solutions to the issues that confronted them?

DT: People tend to problematise and discuss the significance of their identity when it matters. Every Uyghur I interviewed 'hated politics' but they all had to comprehend and mediate it when they lived their life. They chose to discuss politics because it affected their life and their identity. My thinking on ethnicity was shaped by Rogers Brubaker, who focused on when, how, and why group-ness is politically activated, because nationalism is best understood anthropologically rather than ideologically. It is always there and always changing and always informs our politics but only becomes activated as a focus for collective action under certain conditions. As scholars in this area, we have to be constantly and consistently attentive to the power relations in narrating the authenticity and inauthenticity of identity because Uyghurs are dismissed as 'colonial manipulations' while the Han have unbroken history—a binary that Daniel Feierstein identifies as one of the key drivers of genocide.

One thing we can all do is remember that activation of group identity in political action is not causation of that identity itself. Laura Newby very effectively showed how nineteenth-century inter-oasis contacts were extensive and group identity strong among Uyghurs even if they did not use the ideology of nationalism to explain daily life or organise collective action. Justin Rudelson's argument that oasis identities were more significant than national identity among Uyghurs is partially (and unfairly) quoted in Party-State textbooks as evidence of Uyghurs' inauthenticity but there is nothing in principle about local identity that precludes national identity. Many Uyghurs love to reflexively laugh at their

own inter-oasis rivalries and stereotypes in jokes that reproduce *and* mock their own attitudes because these highlight differences among Uyghurs without taking them too seriously.

I think the complex dynamics that interlink local and national identities and interweave public action and private self-identification are obvious when 'inside' a group, as you are privy to private thoughts and quiet reactions. But for outsiders, violence and nationalism often inexplicably seem to appear from nowhere. Urbanisation, migration, and securitisation do deeply shape both Uyghur and Han self-perception, but it is a categorical error to assume incidents of violence they spark can be taken as simple proxies for identity or to think that national narratives are *caused* by these processes. Thinking the Chinese nation was *caused* by imperial encounters with Europe is widely dismissed as Eurocentrism in China Studies because it deprives Chinese people of agency, rendering them passive and reactive, while ignoring their own historical narratives. Replacing this Eurocentrism with Sinocentrism has meant scholars who write about Xinjiang now must apply these logics to groups whose identities are marginalised, and now invisibilised, by narratives that frame Sinocentrism as progress.

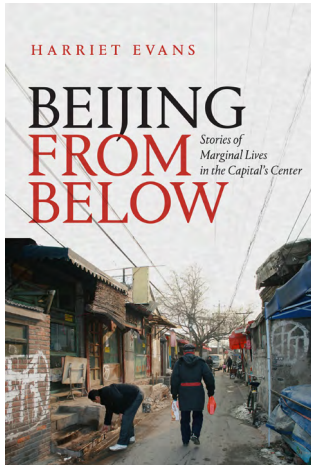
In the original conclusion of my book, I included numerous policy recommendations that Uyghurs suggested would bring peace, particularly reinstating Uyghur language in the reeducation system, effectively outlawing employment discrimination, and using funds from natural resource extraction to boost employment.



'Breathe together, share a common fate, heart linked to heart'

However, those modest policy improvements are now unthinkable and arguing for their implementation is considered terrorism, as outlined in the *50 Whys* and in subsequent ‘anti-radicalisation’ textbooks. In my fieldwork, Uyghurs had zero expectations of independence and any conversations addressing it involved discussion of its impossibility, due to both China’s global power and hatred towards Uyghurs. That does not mean that people would not choose independence, but it does not inform their practical decision-making in some form of rational calculus because the possibility is too remote.

Obviously, many Uyghurs talk about how geopolitics affects Uyghur identity in private but detailed discussions about politics were usually spontaneous conversations about how politics affected daily life and how it was unavoidable despite their best efforts. One friend explained to me: ‘If you are Uyghur, you are political.’ Material life was so unpleasant (for instance, unemployment, poverty, discrimination in housing and work-life, daily violence, etc.) that many people discussed their lives with a sense of shame, and public life as humiliation of their culture, that grand political goals were not on their agendas. However, what I observe among the diaspora now is a shift away from asking how to work together to how to live apart. ‘We can’t be expected to live with our colonisers’ is a statement that would have stood out in 2009 but is now a standard narrative in interviews. My book argues that treating identity as a security matter exacerbates insecurity and hardens ethnic boundaries. The Uyghur response to mass state violence since 2017 is just one example of this. ■



Beijing from Below: Stories of Marginal Lives in the Capital's Center (Duke University Press, 2020).

Beijing from Below

A Conversation with Harriet Evans

Andrea Enrico PIA

Harriet EVANS

In her new book, *Beijing from Below: Stories of Marginal Lives in the Capital's Center* (Duke University Press, 2020), Harriet Evans captures the last gasps of subaltern life in Dashalar, one of Beijing's poorest neighbourhoods. Between the early 1950s and the accelerated demolition and construction of Beijing's 'old city' in preparation for the 2008 Olympic Games, the residents of Dashalar lived in dilapidated conditions without sanitation. Few had stable employment. Today, most of Dashalar's original inhabitants have been relocated, displaced by gentrification. Drawing on oral histories that reveal the memories and experiences of several neighbourhood families, Evans reflects on the relationships between individuals, families, and the state; poverty and precarity; gender politics and ethical living; and resistance to and accommodation of the authority of the Party-State.

Andrea E. Pia: Along with a number of other scholars, including Luigi Tomba, Mun Young Cho, Sun Wanning, and Joel Andreas, your book serves to refocus attention on class formation and class identity in the study of China, and especially of its urban margins. Your approach can also come across as an attempt at re-narrating what we could call the internal frontiers of the state—places where undesirable subjects, often portrayed as standing in the way of development, are dealt with through a combination of punitive law-and-order policing and laissez-faire state neglect. Why is it useful to think about contemporary Chinese society from a subaltern position—from 'below', as your title indicates? What does this choice of register, including the question of class, add to our current understanding of contemporary China?

Harriet Evans: I address class rather more indirectly than the scholars you mention here, since I do not embark on any head-on interrogation of the structures producing my interlocutors' marginalisation. What is also different is my focus on long-term residents with formal household registration to Dashalar, and not mainly migrants, as in Sun Wanning's analysis—although one of the chapters that was the most emotionally demanding to write concerned a migrant couple and their two children who moved to Beijing from Shaanxi in 1997. So, the marginal status of my urban subaltern interlocutors was reproduced and reiterated time and again over the long decades I cover in the book, and most notably during the Mao era. This then addresses a subaltern category not accounted for over the same period in the available literature.



Dashalar hutong in winter.
PC: Harriet Evans.

The issue of subalternity in the Mao era is complex and awaits more proper theoretical analysis than I give it in the book. There is, moreover, one character in my book who was enabled by his upbringing, chance encounters, and entrepreneurial savvy to acquire a material standard of living that would characterise him in class terms rather differently from the others whose stories I narrate. The most obvious ‘fit’ between an individual’s experience—always mediated by memory—and subalternity is Old Mrs Gao, whose childhood of destitution and child marriage during the Republican era denied her the possibility of even imagining an education. Come the People’s Republic, her illiteracy and lack of employable skills confirmed her status on the margins of the new, proud working class.

However, thinking about the differences between the people I got to know so well over the years I visited them, the conditions of ‘subalternity’ that I associate with Meiling, the woman who felt abandoned by her parents and eventually ended up in detention for prostitution in the Anti-Spiritual Pollution campaign of the early 1980s, and Zhao Yong, whose subaltern status was the effect of ‘inheriting’ his grandparents’ political categorisation as ‘small landlords’ and his family’s reputation for madness, beg all sorts of questions about the effects of political and administrative controls in producing a ‘declassed’ stratum outside the formal class structures of the Party-State. We know that the creation of an ostracised class category outside the classifications recognised within the political terms of the ‘people’ (人民) and then the ‘dictatorship of the proletariat’ was a deliberate attempt by the Party-State to isolate and

‘punish’ those identifying with and inheriting a class categorisation deemed to conflict with the goals of socialist transformation. But in the available literature on this, privileged attention has been given to the educated ‘professional’ stratum of urban-centred individuals. Little attention has been given to those whose ‘bad’ status was due to class categorisation of individuals for small-scale entrepreneurial activities, such as Zhao Yong’s grandparents.

For individuals such as Zhao Yong, who had clear recollections of his father being beaten by Red Guards, the Cultural Revolution was one exceptional moment in a long history of hardship and scarcity, but he made no claims to the privileged victimhood that emerges in the well-known eyewitness accounts of the late Mao era. He had no personal stakes in producing an account of suffering during the Cultural Revolution. For him, the Cultural Revolution was not a ‘state of exception’, to use Agamben’s terms, nor a historical blip on what would otherwise have been a seamless transition from the capitalism of the Republican era to the post-Mao market reforms. Rather, it was but one moment in a longer painful history of scarcity, neglect, and discrimination running throughout his entire life. The point I am making is that the accounts responsible for constituting our knowledge of the Cultural Revolution are largely framed by the class backgrounds of their authors.

Inside a half-demolished
dazayuan. PC: Harriet Evans.



Another point I want to make concerns your comment about how I re-narrate what could be thought of as ‘the internal frontiers of the state’. Yes, the people whose stories I tell were seen as undesirable subjects. The archival record says as much, as do my subjects’ narratives. However, the way I approached this in the book is by showing how the Dashalar residents I knew were so removed from the direct discursive and institutional arm of the state that the state’s temporality played no significant role in their framing of their own lives. But the notion of the ‘internal frontiers of the state’ opens up the space for thinking also about the liminality and porosity of the frontier. For example, in her work on rethinking subaltern urbanism, Ananya Roy (2011: 226) defines ‘the slum’ as a space of ‘vibrant and entrepreneurial urbanism’. While I would argue that, from a phenomenological perspective, this space may be experienced and mediated by both these alternatives, the concept certainly enables us to think of the ‘frontier of the state’ as a space where contending forces oscillate for influence, a space that conceptually confers recognition on urban subalterns, while also permitting the coercive weight of the Party-State. The main ethnographic instances of this in my book would be the detention of Meiling for prostitution, the traffic policeman’s attempt to fine Zhao Yong for some minor infraction, in response to which Zhao was detained for 24 hours, or the *chengguans*’ brutal treatment of the migrant Li Fuying for riding his pedicab without a licence.

AEP: Your book is notable for its methodological choices and narrative structure. Here, you combine ethnographic fieldwork, archival research, and techniques of oral history to cover almost 60 years in the social history of Dashalar, which you visited on and off over many years. I particularly admired your rendition of the rhythms and tempos of your interlocutors’ narratives—the pauses and idiosyncrasies typical of direct speech that the oral historian Alessandro Portelli (2017: 31) famously described as proof of the ‘narrator’s participation in their story as well as the story’s participation in the narrator’s life’. When reading about contemporary China, we rarely get such a vivid account of people’s own understanding of their private lives, and this reinforces your argument that subaltern subjects should be represented in their own voice. But this approach may also leave the impression that, as another oral historian, Carlo Ginzburg (2019: xxii), once said, ‘one cannot escape from the culture of one’s class and the culture of one’s time’. That is, if not analysed through explicit social justice categories, these voices could seemingly fail to provide counsel to younger generations of Chinese urbanities, who may be experiencing a more pulverised class system and more fluid gender relations. If the subaltern can indeed speak, how can we make sure that the people who should, will in fact listen?

HE: I should here point out that this book is very different from the ‘traditional’ conventions of oral history. I anonymised people’s names, I did not take many recordings, nor did I conduct life-story interviews. That said, while we may never be able to replicate the experience of the subaltern in our ethnographic narratives, we absolutely can find ways to bring gestures of their experiences to life on

the written page, or even in photographic form. I certainly go along with Portelli's emphasis on the stops and starts and idiosyncratic jumble of direct speech. But—as an aside—it is important to point out, given that so much oral history is inspired by an effort to give voice to those marginalised by history, that it would be a mistake to see such a jumble as indicative of class alone. Portelli's insistence on respecting the forgettings as much as the remembrances of memory is also extremely apposite to my methodology. Hence my reference to Studs Terkel's comment to the effect that it is the content of memory that is important to the subject, not its relationship to recorded fact. Where I may depart a bit from Portelli, however, is with reference to a kind of hierarchy he seems to me to imply when he comments on the archive and secondary literature as providing 'fact checks' that give clues to the imagination.

Insisting on the narrator's participation in the creation of the story also has to be interrogated. While Portelli's argument points to an ideal in the ethnographic relationship, it overlooks the imbalance in that relationship—how researcher and interlocutor may talk about the same thing but with very different understandings about its meanings. My methodology and the way I combine the different sources I use (including official archives) emerged organically out of the dynamic of my research. I did not plan them in the way they finally panned out. So, coming back to Portelli, I turned to the archive and secondary Chinese sources after getting to know the families who appear in my book, largely because I wanted to find out what, if anything, they revealed about how different centres of interest and power narrated or interpreted and/or attempted to control them as subjects of a shared history. I ended up thinking about how these different sources spoke to, across, and sometimes with each other. Not to 'fact check' but to explore where and how the experiences of my Dashalar acquaintances both subverted and at times corresponded with the interests of the state.

One aspect of my sources that I have only recently begun to think about, in large part thanks to a dialogue with Erik Mueggler, concerns the meaning of the object that I describe and visualise in the photographs that appear in the book. This adds another dimension to the exchange between the researcher and interlocutors in spaces filled with objects. So, for example, the objects that I describe in Old Mrs Gao's main room can be thought of as describing many of the main features of her life, in a way that is similar to the painting technique that builds up an image from the background and context rather than from a focus on the main figure itself. Or it can be thought of as a kind of ekphrastic depiction of Old Mrs Gao's life through a narrative description of the material and therefore visual objects she lived her days surrounded by.

Finally, conversations with historian friends and colleagues and a discussion about a couple of chapters with graduate students convinced me to take up Susan Mann's remediation of Sima Qian's

Records of the Historian in her wonderful *The Talented Women of the Zhang Family* (2007) as a way of ‘bringing to life’ my interlocutors. This resulted in a decision on my part to narrate the main chapters in the voices of my interlocutors, as much as I could, and insert ‘interludes’ after each chapter to try to draw together what in my view seemed to be the main interpretative threads and themes.

So, we come to Carlo Ginzburg’s quote. Ginzburg was talking about periods across space when place and experience were bounded by clearly demarcated cultural boundaries, most notably of the late Roman Empire, and when time and class were in a sense mutually constituted. In our own time, however, even within the ‘closed’ boundaries of Dashalar, the ‘culture of one’s time’ includes observation of global worlds of wealth and opportunity and the possibilities of fantasising about what they might mean. And class is not a fixed category either in sociological or in subjective terms. A sociological analysis of my interlocutors in Dashalar would group them all together as members of the ‘underclass’ (社会底层), but an analysis that starts with memory and experience reveals sometimes significant differences in how such a category is lived. But one of the themes running through the book, as a whole, does concern the idea of ‘social justice’, if not as a clear-cut structural category, then certainly as a category that has affective and therefore implicitly political purchase for those wanting to claim it. I am making an argument that draws a distinction between internalised and lived ideas about class discrimination and injustice and external analyses of the structural factors producing such conditions, and that from the former position reveals the difficulties of counselling others about ‘class discrimination’.

AEP: Many of your interlocutors are Beijing women of different social cohorts, who are stuck navigating the ever-shifting terrains of family obligations and gender imbalances, all while also struggling to retain some semblance of autonomy. Reading their stories, I was reminded of the work of another important Italian oral historian, the antifascist Nuto Revelli. For one of his projects, Revelli (2018) talked with Piedmontese peasant women who, interestingly, shared a migrant background similar to that of Li Fuying in your book. Importantly, Revelli notes how ambivalently these women felt about expressing their desires for greater autonomy, which could only be realised by clinging on to, and even investing emotionally in, a patriarchal authority. As with elsewhere, being a woman in China implies being subjected to multiple forms of subordination. In what ways do the stories you recount in the book add complexity and texture to debates within contemporary Chinese feminism?

HE: The notion of emotional investment in patriarchal authority is certainly a theme that is close to my heart. But to begin with, I would point out that such emotional investment is simultaneously and indivisibly ethical and instrumental. It is, moreover, by no means simply the product of or response to conditions of scarcity and precarity, as the modernisation argument favoured by so many

mainstream Chinese sociologists would put it. I argue elsewhere that investment in a reconfigured form of patriarchy—what I call ‘patchy patriarchy’—also characterises the gendered positionality of many wealthy, highly educated women, as Xie Kailing (2019) has argued. If we think of ‘patchy patriarchy’ as the inconsistent and contradictory ways in which women continue to uphold recognition of men’s authority, while also claiming their own autonomy, then of course this is bound to be differently mediated and expressed across social, temporal, and cultural boundaries. I argue that, despite the transformative effects on women’s lives of the radical policies of the early Mao era—most notably, in opening up opportunities for employment and education that positioned women as public subjects—neither the Women’s Federation nor other institutions of state addressed the domestic and familial sphere. On the contrary, it was assumed that, until the state was financially able to take on the tasks of providing childcare and other domestic and welfare services, these would naturally fall to women. Moreover, women’s failure to undertake such tasks would be seen as a sign of irresponsibility to the socialist cause. This position was backed up by a socio-biologicistic view of gender difference according to which women were naturally bound by their physiological makeup to mother and take on other caring duties.

Then came the Fourth World Conference on Women in Beijing in 1995. This was a defining moment for many Chinese women—most notably, educated professional women, who for the first time in their lives were able to engage directly with women from all over the world, particularly the Global South. Their discussions introduced them to how women’s organisations elsewhere had been tackling intractable issues of poverty, health, education, and gender discrimination in social and political conditions dominated by patriarchal authority. They also came across new understandings of gender removed from the biological definition of gender difference that they had grown up with. There was a palpable excitement as women began to debate the emancipatory possibilities of a notion of gender as a social construct, and therefore open to change. Despite the Women’s Federation’s ambivalence about this growing ‘feminist’ voice, it nevertheless signalled the dynamic creativity of engagement with international feminism.

Into the new millennium, China’s status as an increasingly powerful participant in the system of global capitalism led to greater social differentiation and changing employment structures, giving many women access to unprecedented prospects of self-realisation and recognition, but also producing increased practices of gender discrimination alongside widening gender disparities, such that, by 2017, China ranked 100th out of 144 countries in the World Economic Forum’s Global Gender Gap Index. Following Xi Jinping’s Confucian revival, policy and dominant discourse turned



Entrance to Old Mrs Gao's dazayuan at Chinese New Year 2008. PC: Harriet Evans.

to an explicit celebration of women's domestic virtues, banishing 'gender equality' to an increasingly marginal place in the language of the Party-State, including the Women's Federation.

These developments, combined with activism through social media, have produced a new generation of millennial feminists from diverse backgrounds, including LGBTQ+ activism. In contrast to their older sisters, they explicitly target marriage and family responsibilities in exploring feminist ideas that mark a radical departure from previous principles of women's emancipation and gender equality. As Fincher argues in *Betraying Big Brother* (2018), while this activism is seen to threaten the status quo of China's male-dominated political system, it has not curbed the explosion of online platforms for exchanges about women's empowerment in a market environment that grants them considerable leverage to manage their marital and domestic relationships.

So, the Chinese Communist Party and the Party-State have made spectacular achievements in transforming the conditions of women's lives over the past century, but 'patchy patriarchy' continues to characterise the gendered expectations and assumptions about marital and family relationships. Across class, generational, and sectoral differences, patriarchal structures in China have long since moved away from their 'classic' features. Nevertheless, these have repeatedly resurfaced in new ways that also draw on past practices, throughout the shifts in the political economy between the Mao era and beyond into the globalised market economy. Such practices have long been sustained by a discourse of gender difference

centring on—though far from limited to—matters of marriage, reproduction, family, kinship, female virtue, and the domestic division of labour. Played out in popular culture, formal education, commercial advertisements, and much more, the critical spaces available to women to explore alternative possibilities of gender are severely constrained. So, we need to wait for further research to understand what makes the difference between those young urban women who are drawn to feminist challenges to the dominance of straight marriage and others belonging to what appears to be the same sociological category who make compromises with the heteronormative status quo.

But to end my response to your question by returning to the women of Dashalar, my analysis offers another glimpse of both the barriers to and the possibilities of change. My discussion of the only two younger women I knew—Meiling's daughter and Li Fuying's daughter-in-law—reveals stories of generational and cultural shifts in young women's foregrounding of their individual desires and aspirations, whatever the cost to their elders, and in so doing acted out the living, embodied, and emotional reality of shifts away from the examples of their mothers.

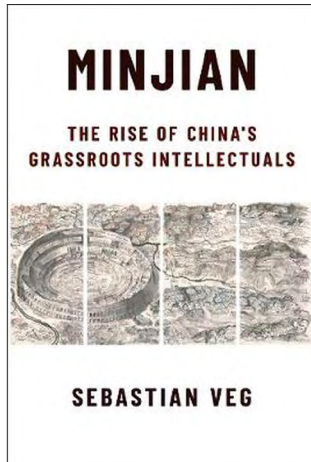
So, in thinking about how my book adds complexity and texture to debates within contemporary Chinese feminism, I would summarise the above points in two ways. First, to reiterate that, despite the huge transformations in women's lives over the past 60 years or so, little of this has been the effect of women's increasing consciousness about gender and gender relations per se. Across generational and class difference in these decades, there is little evidence that women by and large were familiar with the language of gender equality (男女平等) any more than they were with gender. The second is to say that my book clearly indicates the bodily and emotional effects of women's struggle to negotiate a way of living while shouldering huge burdens of employment and domestic care. If Wu and Dong's (2019) 'made-in-China feminism' has any real chance of taking off beyond the realms of social media to impact the lives of women who do not, or cannot, access the same kinds of debates, my analysis complicates their argument by presenting ethnographic material revealing women's attachment to heteronormative marriage, childbearing, and filial care as an exchange combining instrumental, emotional, and ethical elements.

AEP: Let me finish by asking you a question that is relevant to the issue of the *Made in China Journal* in which our conversation is included. Along the lines first explored by Dorothy Solinger (1999) and more recently by Sophia Woodman and Gao Zhonghua (2019), your book demonstrates that the underclasses of Beijing become urban without fully becoming citizens. Recent events in Beijing surrounding the eviction of its so-called low-end population (低端人口) seem to buttress this point. In a country which recently

declared to have successfully eradicated absolute poverty, what do the stories of your book have to say about the complicated ways in which social exclusion is perpetuated despite grandiose pronouncements?

HE: A simple answer would be to reiterate that the grand claims about eradicating poverty may, in broad-brush terms, be true. However, to set the historical record straight, we have to acknowledge that this is not due to the post-reform system per se, even less so to Xi Jinping, but has built on the extraordinary transformations already introduced during the Mao years. It would also be true to say that, in a country as diverse and huge as China, the regional and spatial differences in wealth and poverty contain within them other, multiple differences of generation, gender, and ethnicity. A more politically nuanced response would be to suggest, as Doreen Massey did long ago, that the success of wealth creation and urban regeneration depends on the creation of disadvantage, in my terms of a subaltern class—a precariat, if you will—excluded from formal access to its benefits. The brutal tragedy of the ‘low-end population’ to me bears out the logic of this argument. Of course, it is an argument that on a different scale is also being played out in the liberal democracies of the West.

Then there is the matter of ‘citizenship’. This is a concept I do not take up in the book, but I do take up the notion of recognition. My interlocutors were painfully aware that they were not treated and recognised as full persons, but were regarded as social rubbish at the bottom of the pile (最底层). Most of the middle-aged people in my book were totally urban inasmuch as they were born and grew up in Beijing and had formal Beijing household registration documents to prove it. They claimed Dashalar and its environs as their own in associating themselves with the discursive epithet of ‘old Beijingers’ (老北京人). They also were aware that the Chinese term for ‘underclass’ was inscribed with a kind of moralistic disdain just as much as it is in English. *En fin*, at the end of the day, the book is a project in granting recognition to a group of people who have always been denied it. It is my sadness that they will not be able to read it. ■



Minjian: The Rise of China's Grassroots Intellectuals
(Columbia University Press, 2019).

Revisiting *Minjian* Intellectuals

A Conversation with Sebastian Veg

ZENG Jinyan
Sebastian VEG

In the past few months, I collaborated with Xu Xibai, a PhD candidate at the University of Oxford, to translate into Chinese Sebastian Veg's groundbreaking book *Minjian: The Rise of China's Grassroots Intellectuals* (Columbia University Press, 2019). We embarked on this project with the conviction that this translation will not only inspire debate on the role of Chinese intellectuals in the Chinese-speaking world, but also lead the protagonists of the book to reflect on their own positions, ideas, and interventions in the context of an evolving Chinese society. In the following conversation, which also serves as a preface to the Chinese edition of the book, to be published by Lianjing Publishing in Taiwan later this year, Sebastian offers his insights on a number of critical issues, such as support for Donald Trump among Chinese intellectuals; the conditions of non-Han intellectuals in Xinjiang, Tibet, and Inner Mongolia; the anxiety of local intellectuals after the introduction of the National Security Law in Hong Kong; as well as how feminist critique can democratise the study of intellectuals.

Zeng Jinyan: In your book, you study the *minjian* intellectuals—that is, Chinese thinkers and activists working outside academia and policy institutions. You analyse the alternative publics, semi-publics, and counter-publics created by these intellectuals between the 1990s and middle 2010s, highlighting how these publics are shrinking and now have mostly disappeared. Under the dire circumstances of today, what does research on *minjian* intellectuals have to offer to both China and the world?

Sebastian Veg: This is a very interesting question, both theoretically and empirically. On the theoretical level, there have been many critical reflections about the theory of public spaces, and their inherently exclusionary dimensions. Several scholars have suggested the notion of 'counter-publics' as a different way of looking at how groups try to establish their presence in public spaces. An important point made by Craig Calhoun is that, strictly speaking, when people work to establish a 'counter-public' through a specific vocabulary and specific venues (physical spaces or publications or communica-

tion networks), it means that they no longer attempt to participate in the networks of publics that constitute the mainstream public sphere. This meaning of ‘counter-public’ comes close to the notion of ‘counterculture’. It also echoes James Scott’s views on ‘hidden transcripts’—groups communicating in their own specific ways under the radar of standard communication.

So, on the empirical level, looking at the evolution of the situation in China roughly starting with the Beijing Olympics of 2008, and accelerating after the publication of Document No. 9 in 2013—a leaked Party document that singled out seven types of activities and discourses (including critical history of the People’s Republic of China, constitutionalism, investigative journalism) as targets for repression—there is no question that *minjian* intellectuals and almost all types of critical discourses have been significantly suppressed. Some of those events happened while I was finishing writing the book, and others have taken place since then. Hong Kong, which I argue has always been a kind of ‘offshore public sphere’ for China, became the most recent space to be directly targeted by the regime. So, there is no question that spaces for non-elite, non-mainstream voices are dwindling.

However, I would not necessarily accept the idea that there is no public space at all. To take a recent example, remember the people shouting from their windows in the Wuhan apartment buildings when Sun Chunlan came to ‘inspect’ the victory over the COVID-19 epidemic in early March 2020? Another example is Li Wenliang’s Weibo account, which has become a virtual memorial. To me, these examples show that people have not entirely given up on the idea of public expression. Of course, you are right that many people have retreated from the public domain; they now limit themselves to closed discursive communities. The state seems quite happy to let likeminded people talk among themselves, for example, in WeChat groups, especially if technology allows the state to keep a close eye on what is being said.

But the *minjian* moment of the 1990s and early 2000s is not unique in Chinese intellectual history. There have been *minjian* voices at different times in the twentieth century and probably even before. The New Village Movement (新村运动) in the early 1920s and some of its main proponents like Zhou Zuoren might be an example. The journal *Spark* (星火), published by the Lanzhou rightists in 1960, was a typical *minjian* publication. The underground reading groups that emerged among Educated Youths in the early 1970s might be another example. So, I don’t think the *minjian* type of intellectual will disappear. More broadly, I would say that, despite the heavy control of the state, Chinese society continues to evolve in ways that are not always easy to measure and that may still surprise observers.

ZJ: In recent years, many self-identified 'liberal' intellectuals and *minjian* intellectuals have openly expressed their support for Donald Trump. How did such a dramatic logical, emotional, and political turn take place? What questions does Trumpism among Chinese intellectuals raise for us?

SV: This is a subject I am hesitant to discuss because I have not directly studied it. Probably it will require a more detailed typology. Lin Yao has proposed the notion of 'beaconism', which makes sense, since America has historically been a source of inspiration (and disappointment) for Chinese intellectuals, maybe ever since Woodrow Wilson first promised self-determination and then compromised over Chinese claims at the Paris Peace Conference in 1919. But there may be other factors. The extreme identification with American politics of certain Chinese scholars and public intellectuals is of course due to the absence of a 'normal' political life in China. Anti-communism, and disappointment with policies of engagement perceived to be supported by the Democratic Party, has always tilted a group of Chinese intellectuals towards the Republican Party.

Although the Trump supporters can be found in China (as well as Hong Kong and Taiwan), a group of exiles in the United States have played a key role in relaying Trump's message. As we have seen previously in cases like Iran, Afghanistan, or Iraq, politics among small, exiled communities can easily become radicalised in ways that end up being very harmful to the community itself. Some lobbyists have embraced the partisan views of a few politicians who support them. So, it would be interesting to study the networks of information flows: who are the producers and receivers of information about Trump in Chinese?

There is also the question of media. A lot of people around the world no longer search for news from a variety of sources but stick to the streams of news that algorithms earmark for them. This is even more of a problem in China, where censorship is built into the algorithms through which many people access news. On the other hand, some people in China, because of the pervasive censorship and propaganda, are so distrustful of 'mainstream media' that they only refer to some parallel information channels. We know that *Epoch Times* (大纪元时报) has played a considerable role in raising support for Trump among Chinese-speaking communities in the United States and maybe also in China. So, many people are consuming information flows in such a way that they are never exposed to different sources and perspectives.

Still, I think the phenomenon should not be exaggerated. According to some rough estimates, Trump did not poll higher among Chinese Americans than among American voters in general. The issue of people voting for Trump even though they are direct victims of his policies has been studied more broadly in the US context by Arlie Hochschild in her 2016 book *Strangers in Their Own Land*. She talks about workers in Louisiana whose health suffers

directly from Trump's dismantling of environmental protection and of health care, yet who still vote for him. Similarly, you could observe that some pro-Trump Republicans, like Ted Cruz, vetoed a law facilitating asylum for people leaving Hong Kong. The same would apply for dissidents fleeing China. Finally, we should not forget that there are some very lucid observers among Chinese intellectuals who provide nuanced analysis for those who are willing to go beyond the thrill of social media invective.

ZJ: You have studied the radical changes in Hong Kong society in recent years. What is its relationship with Chinese politics? In your research on various social groups in Hong Kong, are there any characteristics and issues that deserve special attention, especially in relation to *minjian* intellectuals in mainland China?

SV: As I said, Hong Kong has been a kind of offshore public sphere for China ever since Wang Tao fled the Taiping uprising and became the first major Chinese-language newspaper entrepreneur in the city in the second half of the nineteenth century, a few decades before Liang Qichao took on a similar role in Tokyo and Shanghai. Hong Kong has been a crucial place for debate and political dissent at key points throughout the twentieth century, including for intellectuals fleeing the Guomindang regime in the 1930s and the communist regime in the 1950s, like the neo-Confucians who established New Asia College in 1949, as well as after 1989, when Jin Guantao and Liu Qingfeng established the journal *Twenty-First Century* (二十一世纪) at the Chinese University of Hong Kong (CUHK). So, I would say there is a *minjian* element to Hong Kong's position as an intellectual centre, in the sense that elite Chinese intellectuals usually looked down on Hong Kong as a 'cultural desert'.

Hong Kong may or may not have had some of the elite cultural institutions that they yearned for, depending on the historical period being referred to, but Hong Kong did have two things: first, a very diverse mosaic of communities from different places in China and beyond China, many of which had their own vibrant cultural life, although the communities themselves may have been quite closed in terms of language and general openness to outsiders. Second, Hong Kong had the legal and economic basis for print capitalism and, especially in the 1950s and 1960s, more broadly, entertainment capitalism including film and music. Hong Kong had relatively lenient censorship laws in colonial times, although overt political activity was discouraged (but newspapers supporting both the Nationalist Party and the Chinese Communist Party survived over the years despite some censorship). Print capitalism allowed many disenfranchised intellectuals to make a living from their pen (the perfect example is Liu Yichang). And, in time, with print entrepreneurs like Louis Cha (Zha Liangyong/Jin Yong), it built up media with a strong reputation for objective reporting as well as good writing.

It is true that the Hong Kong intellectual scene may have been tilted toward capitalism and in this sense is different from the *minjian* intellectuals who maintain their distance from both state and market. But Hong Kong also had universities—leaving aside the rather colonial institution that was Hong Kong University, New Asia College opened a road that eventually led to the establishment of CUHK in 1963—and reputed secondary schools, where some intellectuals could teach. Many tried to balance their activities between political and intellectual ideals, educational pursuits, political commentary, and supplementing their income by writing fiction or film scripts.

From the 1960s, Hong Kong also had a productive tension between the party politics that played out on the big geopolitical stage—between Beijing and Taipei; London, Washington, and Moscow—and the local issues that exiled intellectuals did not immediately connect with. The 1970s saw a ‘localisation’ of intellectual pursuits, with a stronger sense of local identity, growing anticolonial activism, and at the same time the looming question of Hong Kong’s future that became acute in the early 1980s. So, the tension between ‘high politics’ and ‘local issues’ is again something very typical of *minjian* intellectuals. Here I would particularly like to refer to Professor Chan Kin-man’s moving farewell speech at CUHK, which sketches out his own intellectual itinerary, beginning with local social movements in the 1970s.

ZJ: When I was conducting my postdoctoral research at the University of Haifa, my advisor, Nimrod Baranovitch, introduced me to the study of ‘ethnic minority’ writers, artists, and scholars. So, I began to pay particular attention to cultural and intellectual productions in Chinese language by ethnic (Mongolian, Uyghur, and Tibetan) intellectuals, on the stories of their own ethnic communities. Although your research does not cover this group, they share many of the same characteristics as *minjian* intellectuals. For instance, they are in marginalised social positions, engaged in activism and speaking truth to power, and have faced the risk of being further marginalised. Intellectuals from minority ethnic groups are confronted with the rapid disappearance of their native languages and cultures, as well as a physical experience similar to that of intellectuals in the Jiabiangou Labour Camp in the 1950s. What kind of dialogue could take place between Han and non-Han intellectuals? In other words, what inspiration could the study of *minjian* intellectuals offer to the study of intellectuals and ethnicity?

SV: Thank you for raising this question, since it has become more and more important to pay attention to the situation of non-Chinese people within China (I prefer not to use the term ‘minority’, since the groups you refer to are or were often a demographic majority in their historical territories before they were subject to annexation or population transfer). I did consider this question initially and therefore I tried to incorporate some discussion of linkages between *minjian* intellectuals and non-Han intellectuals, especially in connection with the Gongmeng (公盟) report on the events of

March 2008 in Lhasa. Of course, I could have devoted more time to writings or other projects by Wang Lixiong and Woese, Ilham Tohti, or Tashi Wangchuk. My main reason for not doing so is that, as someone who pays attention to reading communities and communication networks, my basic assumption would be that their writings in Chinese are part of a larger multilingual discussion, which is best studied by scholars with at least basic understanding of Tibetan, Uyghur, or Mongolian. There are already many problems with the public sphere in China, and the marginalisation of voices not writing in Chinese is something that I would not feel comfortable accepting and somehow normalising in my work just because of my own linguistic limitations. Of course, it is possible to study individuals and their role as linguistic brokers or hubs. But in this book, I wanted to move away from individuals and focus on networks and reading publics. That is why I feel that to do this study properly would have required skills that I do not have.

ZJ: Your book emphasises a gender perspective. It is pioneering, even in the study of intellectuals. Could you briefly review the relationship between gender and intellectual studies on a historical, conceptual, and empirical level? In the study of Chinese intellectuals, how does feminist critique help to democratise both the theme and the research methodology?

SV: On the role of women *minjian* intellectuals, I have learned a lot from your book, as well as your articles on Ai Xiaoming. Just like the public sphere paradigm, the field of intellectual studies has historically suffered from a gender bias. In *Intellectuals and Their Publics*, a 2009 collection of essays exploring various aspects of studies on intellectuals edited by Christian Fleck, Andreas Hess, and E. Stina Lyon, there is a chapter by Mary Evans provocatively titled ‘Can Women Be Intellectuals?’. It aims not to question the participation of women in the Enlightenment project that defined European intellectual life since the eighteenth century, but rather to highlight the gendered asymmetries in the institutionalisation of the role and status of intellectuals. While women were often the object of Enlightenment discourse—including among early twentieth-century proponents of social reforms in China (foot-binding is the obvious example)—when women themselves took on the role of speaking subjects, their enlightenment discourse rarely claimed a gendered perspective. The interactions between gender and the boundaries of the public and private realms are a particularly rich area for further inquiry.

In recent years, there have been some interesting studies in Chinese intellectual history, which I hope will be pursued further. He-Yin Zhen, whose role as a feminist anarchist in the late Qing has long been known, is at the centre of *The Birth of Chinese Feminism*, a very enlightening volume edited by Lydia Liu, Rebecca Karl, and Dorothy Ko. *An Unfinished Republic*, David Strand’s 2011 book on the 1911 Revolution focuses on another very revealing incident: at the

founding congress of the Guomindang in 1912, Song Jiaoren was slapped in the face by Tang Qunying, one of the active suffragists in the party, protesting Sun Yat-sen's compromise with Yuan Shikai on the issue of including women's suffrage in the new constitution. Of course, we know that Ding Ling denounced gender hierarchies in Yan'an. So, I think a lot more work can be done in this direction in intellectual history. Beyond intellectuals, there is a strong interest in women's roles in various stages of China's twentieth-century history—in particular, Gail Hershatter's and Guo Yuhua's separate oral history projects on women working on collective farms in the Mao era, or Hershatter's work on sex-workers in Shanghai. As you put it, I believe that feminist critique can contribute to 'democratising' methods—that is, paying more attention to non-elite sectors of society. I definitely look forward to reading your coming work on this topic. ■

IN MEMORIAM





Daniel Kane. PC: Andrea Cavazzuti.

A Tribute to Daniel Kane

Annie Luman REN

I first met Daniel Kane, or Danny as he was known to friends, during a week-long symposium on Manchu culture and literature that took place inside a grand country house in South Wairarapa, New Zealand, in 2018. The purpose of that gathering was to discuss the acquisition of Chinese language, thought, and art by the Manchus and, by extension, the need for the same kind of cultivation by scholars, artists, and translators engaging with China today. Danny was brought in not only as an expert on the Jurchen and Manchu languages, but also as a Sinologist trained in the very best tradition.

The event's organisers, John Minford and Geremie Barmé, had hoped that by bringing older established scholars like Danny together with young scholars and translators like myself, the Sino-logical tradition could be passed down and take on new forms, just as the Manchus had helped to transform and rejuvenate the very tradition they sought to acquire. Modelling their symposium on the famous gathering at Orchid Pavilion—a refined and convivial gathering of scholars and artists in 353 CE, dedicated to the enjoyment of friendship, poetry, and wine—the organisers wrote:

It is our hope that 'in this throng of men and women of distinction, this congregation of young and old, with drinking and the chanting of verses, we may converse in whole-hearted freedom, and enter fully into one another's deeper feelings'.

They were quoting freely from Wang Xizhi, the famed calligrapher who was present at the gathering at Orchid Pavilion and who was entrusted with the task of writing a preface to the collection of poems composed on that day. Wang was truly in an inspired state when he penned his preface. Later on, he made hundreds of attempts to reduplicate his own masterpiece, but never succeeded in equalling the miraculous beauty of the original (Ryckmans 1989: 2). Despite the fact that Wang's original manuscript had long ceased to exist (if imperial records can be trusted, Emperor Tang Taizong took it with him to his grave), we can continue to admire the sublime beauty of his writing through rubbings taken from engraved stone-tablets.

In a similar way, Danny Kane's distinguished career as a specialist on the Khitan language and script and his legacy will ultimately be tied to rubbings taken from the stone-tablet in front of Empress Wu Zetian's mausoleum, which today is a mere hour's drive from that of Emperor Taizong. Before she created her own dynasty, Wu was a member of Taizong's imperial consort and, after his death, she married his son Gaozong. Wu famously instructed that a blank stele be erected at the entrance to her tomb, inviting future historians to judge her actions and deeds. It was not until the late nineteenth century that two parallel texts were found on the very top of this supposedly blank stele: one script is unquestionably Chinese; the other, it later transpired, is Khitan. It is largely based on the rubbing of the bilingual text that scholars like Danny Kane could begin to decipher the Khitan script.

Just as he was beginning to unravel this peculiar form of writing that had long ceased to exist, Danny was also deciphering a language that is very much alive. Working for the Australian Embassy in Beijing from 1976 to 1980, he became fascinated by the cursive scripts on large posters that were beginning to appear on the walls of the city. Driven by the same kind of enthusiasm that propelled him to learn Italian, Spanish, and French as a child, Danny soon mastered what he termed 'political Chinese', as well as the Beijing dialect, through reading these 'big character posters'. Danny was able to use his insight to report on political developments in post-Mao China. During the brief period of political liberation known as the 'Beijing Spring', he translated Wei Jingsheng's posters on the Democracy Wall for foreign reporters.

Danny's linguistic gift was truly astonishing. When asked how he came to speak so many languages, he just shrugged his shoulders and said: 'You just pick it up.' The ease with which he acquired new languages is reminiscent of Paul Pelliot, the brilliant French Sinolo-

gist and explorer, who is said to have mastered a new language while waiting for his luggage to arrive in Tashkent. But for those who have met Danny, it was his eagerness to communicate with people using his natural gift for which he will always be remembered. Chris Nailer, a mutual friend of ours, told me the following story. In 1971, during his second year at Melbourne University, Chris was hospitalised after a motorbike accident and Danny, then a fourth-year student, would visit him regularly in the hospital ward. The patient in the opposite bed was an immigrant from Turkey, who spoke almost no English. Being a keen language learner himself, Chris asked a friend to bring in a copy of ‘Teach Yourself Turkish’ and a dictionary. The next day, Danny arrived to visit; seeing the Turkish books and hearing the story, he bounded across the ward with his hand in the air, greeting the patient in his irrepressibly jovial manner: ‘*Nazilsiniz?* [How are you?].’ The two remained in conversation for quite some time, before Danny turned to Chris and said: ‘Well, we ran to the end of my Turkish rather quickly but found we could converse in a mixture of Bulgarian and Greek!’¹

I shall never forget the reason Danny gave for why some languages cease to exist. ‘When a language becomes dead or is going to die, it becomes simplified,’ he observed. ‘Let’s say, for example, that in classical Manchu there are a dozen or so words for “cup”, such as chalice, goblet, pannikin, et cetera. But, by the end of the Qing Dynasty, people have forgotten the other terms; they just know the one word, “cup”.’ ‘I see this happening now in our society’, he added. ‘Kids these days may say: “Yeah, but you don’t know the way we speak.” But in ten years from now, all the words that I have in my head will be gone.’

Danny had already been diagnosed with Parkinson’s disease when he agreed to be interviewed. Perhaps he wanted to preserve some of the ‘words in his head’. My colleague Ivan Franceschini and I visited him at his home near Macquarie University in Sydney and recorded the interview on 9 September 2019. We had planned to publish it the following month but, after reading the transcript, Danny wrote to me and said he wished to rewrite it (on this, a friend remarked: ‘That’s so typical of Danny’).

I never got to the bottom of this; perhaps he thought it sounded too informal, too much like a friendly chat since I deliberately preserved his natural way of speaking. After waiting for some months, I called him to see how he was doing. He told me he had fractured his foot and had been in hospital for months. That was

[1] My thanks to Christopher Nailer for a written account of the story. In our recent email exchange (23 April 2021), Chris wrote: ‘The story illustrates not only Danny’s good grasp of multiple languages, but it also illustrates his exuberance and his drive to engage and to communicate with other people—it didn’t matter what language the other person spoke. Danny would find some combination of languages that he knew that would make communication possible.’

the last time we spoke. I had planned to visit him in March 2020, but by then Australia had entered into a nationwide COVID-19 lockdown. I tried to get in touch during those months of isolation, but his phone was off. It was only earlier this year that I heard his health had deteriorated and he had been moved to an aged care facility in Melbourne to be closer to family. Danny passed away on 16 April 2021 surrounded by loved ones.

I was hesitant about publishing this interview, fearing it may be against Danny's wishes. But reading it over again, I was struck by how gracious he sounded and how at ease he appeared to be. Had he been in better health, the interview might have turned out to be more polished, more like the discerning voice of Daniel Kane, the esteemed linguist. For this, readers can easily turn to the impressive oeuvre he leaves behind (see the list of publications at the end). I do believe, despite its unvarnished state, the interview succeeds in capturing an inspired moment—one that sadly can no longer be reduplicated. Here we have the voice of our dear friend Danny, 'conversing in wholehearted freedom'.

Annie Ren: Having grown up in the suburbs of Melbourne, how did you first become interested in Asian languages?

Daniel Kane: I was really into languages even when I was young. I used to ask kids at school—some were from Poland, some from Hungary—and I would ask: 'How do you count from one to ten?' There were many Italian kids at my primary school, so I learnt quite a bit of Italian. I also learnt Latin at that time in the church and, when I went to high school, I studied Latin more formally and also French. It was a very multicultural environment and most people spoke something else other than English.

Then, for various personal reasons, I left school when I was 16 and I got a job working in a bank on Lygon Street, which was 'Little Italy'. This suited me fine. I was speaking Italian all day, occasionally French and by that stage I had also learnt quite a bit of Spanish. You know, there were lots of migrants around. I had no ambition, didn't know what ambition was, really. Then, by accident, someone from the university came in one day and we got chatting in Italian, and he said to me, 'Why are you working at a bank?' And I said, 'Oh, it pays the bills.' To which he said, 'Why don't you go to the university?' For me, university was where people go to become doctors or lawyers. The person said, 'Come to my office and we will talk about it.' He turned out to be the dean of the arts faculty.

To cut a long story short, after sitting for the entry exams, I was admitted to Melbourne University without a clear idea why I was there. But I knew I wanted to get into languages—the more exotic, the more unusual, the harder, the better. So, I decided to study Chinese and Russian on the grounds that Chinese was hard and Russian was pretty tough, too. I did those two languages for four

years. I did other subjects, too, which was mind-blowing, because in those days people read a lot. For Russian, we had to read all of Chekhov, a lot of Tolstoy and Dostoevsky; even in Chinese it was like that. In the first year, we learnt some basic Chinese but in the second year we were all reading some very hard stuff. But for me, I just couldn't get enough of it.

AR: What was it like to be studying Chinese in Australia in the 1960s and 1970s? Was there anyone whom you particularly admired or who encouraged you in your studies?

DK: In Melbourne, we had a very literary course, in which we were studying the most outstanding works of Chinese literature for over 2,000 years. In our second year, we had to read essays by Hu Shi; there's one called 'The Significance of the New Ideas' ['新思潮的意義']. We also read a story by Ba Jin called 'Moon Night' ['月夜'], and writings by Lu Xun such as 'Hometown' ['故鄉']. We read classical stuff like *Water Margin* [水滸傳] and *Dream of the Red Chamber* [紅樓夢]. In our third year, we read more of the *Dream of the Red Chamber* and Tang poetry, and in our fourth year we read Song lyric poetry. And people actually liked that stuff a lot. They didn't really learn to speak Chinese because at that time you couldn't really go to China, so there wasn't any practical use to learn Chinese. When you went to open day, generally speaking, people doing Japanese would say they wanted to do business or find a job in Japan, but if you asked students studying Chinese back then, they all had unpractical ideas. Someone may be a Buddhist; another guy may be interested in kung-fu. I remember one retired woman whose ambition was to read *Dream of the Red Chamber*: she didn't even want to speak Chinese.

At Melbourne, we used to spend our days in the library, which wasn't actually a library, just a room where people would hang out. It was a very egalitarian place because the lecturers and professors occasionally would come and sit down and chat about this and that. And the students would help each other out, so if you were a first-year student reading a text that you couldn't understand, you could ask a third-year student who had done that particular text for help. So, people were very close. Some of my best friends are from that period; it was a very happy place to be.

The Australian National University [ANU] was sort of like that, except basically there weren't any undergraduate students there. But there were postgraduates, and they were all very interesting people and doing all sorts of strange things. Every morning and every afternoon, we had teatime and people would just go to the tearoom and sit down for five or 10 minutes and chat or gossip or say hello.

AR: Igor de Rachewiltz was your mentor when you undertook your PhD studies at ANU. Can you tell us about your relationship with Igor?

DK: I graduated with first-class honours from Melbourne University and I was offered a PhD scholarship at the ANU. So I went, but at that time I didn't have any clue on what I wanted to do, except that I wanted to do something about the history of the Chinese language. I got interested in the history of Yuan Dynasty Chinese, because, by then, people had been working a lot on Tang Dynasty Chinese and pre-Tang Chinese and of course early modern Chinese. My supervisor was Professor Liu Ts'un-yan [柳存仁], but he didn't know what to make of me.

So I was just working my way on Yuan Dynasty Chinese, looking at books such the *Rhymes of the Central Plain* [中原音韻]—a book on the pronunciation of spoken Chinese in the Yuan Dynasty—when somehow Igor found out about it and he came to me and said he was happy to help. At that time, a discovery had been made about the Etruscan language, which was used in places like Tuscany. Igor of course knew all about this and I was very interested because I was into that sort of thing. It was probably at that time that Igor said to me that, if I was really interested in dead languages, I should look into Khitan. He also recommended a book on the history of the Liao Dynasty by Wittfogel and Feng. I managed to find a copy in the library; it was a very fat book and it was absolutely wonderful because it included everything that was known about Khitan, like their customs and culture, but not about their language because nobody knew anything then. This was also when my background in languages came in, because I could read all the articles on ancient Chinese written in Russian, French, and so on.

European scholars like Igor got into their heads that Khitan was some sort of Mongol, but I don't believe it is the case. Perhaps I'm the only one on Earth, because I'm an empiricist and I see no real proof of that yet. I had a theory that Khitan is related to Jurchen—spoken by the people who established the Jin Dynasty after the Liao. So, I thought that if we could work out the relationship between Khitan and Jurchen, then we'll know, but it turned out I couldn't do it. It's only much later that I found I was on the right track. In the end, I wrote a book on the Jurchen language instead, because it had something to do with Khitan and also I had to write a PhD thesis. I couldn't just write down all the things I hadn't proved.

As for Igor, he was a very gentle and proper sort of person. You could always go to him for a good story. Once we were talking about Canberra dinner parties and I asked him whether it had happened to him at dinner parties that people asked him what did he do and he said: 'Oh yes, all the time. My favourite answer was "I am a Mongologist", and once some woman said: "Oh, do you breed the dogs?"'

AR: In Canberra you also became good friends with Pierre Ryckmans (better known by his pen name, Simon Leys). Could you tell us about your friendship with him?

DK: With Pierre we got to be very good friends. You've got to learn French so you could really know Pierre because his French was just so gloriously beautiful, but it could also be so *yi zhen jian xue* [一針見血, poignant]; so nasty in a very subtle, funny sort of way. But he and I appreciated each other, he liked playing word games and puns and we would talk about French literature or Chinese history together. He once wrote me a highly unconventional reference letter in which he said: 'Dr Kane has more brains in his little finger than the rest of the faculty.' This was so typical of Pierre.

One of the huge fights Pierre had was with Stephen FitzGerald, the first [Australian] Ambassador to China. I went to China with the second ambassador, who is still a good friend of mine. When FitzGerald came back from China, he was hot stuff because China was a closed country. He was invited to give a talk in the ANU Coombs Theatre and he made a speech saying that the Chinese were so happy, they loved the Communist Party and that China owes Chairman Mao so much and what not. Anyway, Pierre exploded. He got up and said: 'I will not let you say these callous lies, this is obscene what you are saying.' FitzGerald was also a wild guy; he started to attack Pierre and Pierre said: 'I challenge you: next week, you will appear here and I will prove to you that you are wrong.' So they had to get Wang Gungwu, who was the head of department, to convene the session. Wang was like the referee during a wrestling match. FitzGerald got up and said what he wanted to say, and Pierre started quoting Orwell, Locke, Chekhov ... Anyway, he made FitzGerald look like a completely uneducated person.

AR: For a while, after your PhD, you joined the Department of Foreign Affairs and were sent to Beijing in 1976. What was it like to be in China after the Cultural Revolution?

DK: By the time I finished my PhD, [Prime Minister Gough] Whitlam had established diplomatic relations with China and they needed young Australians who could speak Chinese to send to the new embassy in China. So, Canberra being Canberra, everyone knew everybody else. A friend from Melbourne recommended me for the job and I went to talk to them, and they sent me to China, where I stayed for four years. The first six months after I arrived were quite interesting because my Chinese was *Chinese* but it wasn't *political Chinese*, which was thoroughly incomprehensible. So they gave me six months to learn that sort of Chinese—you know, like 'destroy the Gang of Four' [粉碎四人幫] and so on. I did a course on Chinese literature at Peking University, which was all about class struggle and peasant literature. It was also the time of 'open-door schooling' [開門辦學], so I went to work in a factory.

When I first arrived in China, I couldn't understand a word they were saying, especially people on the street who were all talking in dialects. How I learnt it was at the university during lunchtime. The Chinese students would always go for a siesta during their lunch break, but foreigners didn't have this custom, so I could go read the 'big character posters' [大字報] without the usual crowds of people. That's when I learnt to read writings in the 'grass-script' [草字], and also the Beijing dialect.

Then I went to work at the embassy. My job title was 'Third Secretary', which, as I was told, was ranked behind the Ambassador's driver. But that was good for me because I didn't have a great deal of responsibilities, so I had plenty of time to travel around Beijing. I got to know the city very well. I was also the embassy's interpreter, so I had to interpret for major occasions like speeches in the Great Hall of the People or translate for prime ministers' visits. I was speaking Chinese all the time, the same way I was speaking Italian when I was ten. I was really mad about Chinese because I had spent so much time learning those strange words.

AR: You are an authority on the Khitan language. Can you tell us more about this language? How were you finally able to decipher it?

DK: Khitan was the language spoken by the people who established the Liao Dynasty [907–1125] in northern China, which lasted for over two centuries. There are two types of Khitan script, the 'large script' [大字] and the 'small script' [小字]. Like I said, it was only much later did I discover that the 'large script' is in fact related to Jurchen. People still don't know where the 'small script' came from.

When I was in China, one day I read an advertisement in the *Beijing Daily* [北京日報] that the Cultural Palace of Nationalities [民族文化宮] was holding an exhibition on ancient scripts. There was a Khitanologist called Liu Fengzhu [刘凤翥], and I had read his articles but never got to meet him. Anyway, I went to this exhibition and there was a girl who was a master's student and I asked her if she could read what was on display and she said no, but she said her teacher could. So I asked: 'Who is your teacher?' And she said: 'Liu Fengzhu.' I said: 'Oh, I'd love to meet him, where can I find him?' And she said: 'Maybe he's gone home, hang on.' So she disappeared and came back about five minutes later with this old guy, and I asked: 'Are you Mr Liu Fengzhu?' And he said: 'Oh my god, how could you possibly know?'

You know, this foreigner just walks in and says are you so and so; it must have been quite terrifying. Anyway, we became very good friends and he gave me lots of stuff which nobody outside China could get. There's a Chinese saying on how a bad thing might lead to good consequences. During the Cultural Revolution, scholars like Liu Fengzhu were sent down to the May Seventh Cadre School

[五七幹校]. While they were there, they had access to this rubbing and, because they had nothing else to do, they copied it out and they made tables between the Chinese and Khitan.

This rubbing is the Rosetta Stone [a bilingual stele written in ancient Greek and ancient Egyptian, in hieroglyphic and demotic scripts, which was the key to deciphering ancient Egyptian] of the Khitan language. It comes from the ‘Tomb Without An Inscription’ [無字碑] in front of Empress Wu Zetian’s tomb, which, as it turns out, does actually have inscriptions on it. But they are on the top and are very hard to see. You can’t read them unless you climb up on a ladder.

This rubbing is bilingual—Chinese on the left and Khitan on the right. You would normally think it would be child’s play if you can understand Chinese, but this was not the case, because, when you look at it, the first two characters say ‘Mighty Jin’ [大金], so when



Rubbing of the bilingual stele.
大金皇帝都統經略郎君行記.

they first discovered this, people assumed this was written in the Jurchen script. It was only in the 1920s, when the tombs of the Liao emperors were discovered by tomb robbers near modern-day Chifeng in Mongolia, that people realised that it was Khitan. Even then, for a long time, scholars didn't get very far. You can read the dates and numbers so that's a start, but you don't know the pronunciation, you just know this squiggle means this. Towards the end, you have two official titles and names, but it later turned out that the Khitan version actually reversed the names, which caused a great deal of confusion for years.

By 1987, Chinese scholars had worked out a lot of pronunciations of the characters based on the name of the officials, and they were about 70 per cent right. But in the middle, there were three-quarters of the text where no-one knew what is going on. It is still the case today. So, when you asked how did I decipher the Khitan language, I didn't really decipher it. The thing that I could contribute is that I could write what the Chinese are writing in a language the European scholars could understand, and I could also write in Chinese stuff written by foreigners which the Chinese could then also understand. The problem with European scholars is that they didn't understand Chinese historical linguistics—now people are catching up—and the Chinese who were working on this were historians who didn't know much about languages. So, they had to basically wait for someone like me. One fellow summoned it up very well. He said that: 'Kane's book brings an end to one era of Khitan studies and starts a new one.'

AR: This may sound ignorant to you, but what is the difference between Jurchen and Manchu?

DK: The people who crossed the Great Wall at the end of the Ming Dynasty didn't call themselves Manchu; they were Jurchens [女真]. The problem is that, by then, the word Jušen/Jurchen had come to mean 'slave', so when they settled down after the second Emperor Hong Taiji [1592–1643], the emperor decided to change their name to Manchu [滿洲]. He didn't really bother to explain why. There are different theories, but the short answer is nobody really knows. The 'national language' of the Manchus was very close to the language of the Jianzhou branch of the Jurchens, which was the dialect spoken by the Aisin Gioro clan that founded the Qing Dynasty.

AR: Manchu language has long been endangered but is now being revived in academia and also in popular culture, thanks to popular Chinese TV shows set in the Qing Dynasty. What do you think about this latest development?

DK: I wrote an article on this somewhere [Kane 1997]. The revival of Manchu began not long after the end of the Cultural Revolution. Although there are more people studying Manchu now, they don't really get past the first 10 or 20 words. I have met people in China

who speak real Manchu, and there are young people in China who are reviving Manchu; they sort of know it in a written way, but they always write the same things over and over again.

AR: You are an expert on several dead or endangered languages. What is the importance of studying these languages today?

DK: That is an interesting question. There is one view—probably the majority view—that every language has its own way of looking at the world. Some cultures sense time differently; others have different perceptions of colours. That’s all very interesting because we tend to take our own culture for granted. My own view is that it’s just interesting. It’s like: why do people learn Latin? Because they like to. For me personally, it’s an antiquarian sort of thing. Even when I was young, I was interested in dead languages. I never really asked myself why I was interested in these things; I just was. I was at Peking University one time and there was an American professor of geology, a woman, [aged] about 50. I asked her how many girls were in her class when she was a student, because you didn’t see a lot of female geologists back then. She said none. So, I asked: ‘How come you got interested in geology?’ She said: ‘I don’t know. When I was young, other kids would pick up a rock and throw it away, but I would pick up a rock and say jeez, this is interesting.’

Another point of interest is that when a language becomes dead or is going to die, it becomes simplified. You see it in languages like Manchu. Let’s say, for example, that in classical Manchu there are a dozen or so words for ‘cup’, such as chalice, goblet, pannikin, et cetera. But, by the end of the Qing Dynasty, people have forgotten the other terms; they just know the one word, ‘cup’. I see this happening now in our society, certainly with my kids. Nobody really uses ‘chalice’ or ‘goblet’ anymore. Kids these days may say: ‘Yeah, but you don’t know the way we speak.’ But in 10 years from now, all the words that I have in my head will be gone.

AR: Has academia changed in the decades since you first began your academic career?

DK: Again, the person to ask would be Pierre. He wrote so eloquently about this in his essay ‘An Idea of the University’ [Leys 2011: 398]. For me, there is no academia; it just doesn’t exist anymore. There are a few good scholars still floating around, very few, and then there are those who don’t know anything. The whole world now is full of China Watchers; almost none of them speak a word of Chinese, let alone know anything about modern China.

In academia, you would be together with fellow thinkers—people who are interested in culture, philosophy, history, art, thinking about questions, coming up with answers, regardless of whether they are undergraduates, postgraduates, or professors. This was what academia was like. And, of course, back then we not only had

Sinologists in our department; we had Professor Johns, who was a world expert on Indonesian and Malay, and we had a fellow called Basham, who was one of the greatest experts on the history of India. There were lots of people like this, who all lived in this sort of village; it was truly magic. But the whole thing fell apart.

AR: In today's academic environment (or, as you say, nonexistent academic environment), do you think it is still possible for young scholars to undertake the kind of research you did on dead or endangered languages?

DK: The short answer is no, for two reasons. First, by the time I retired in 2012, political correctness had already taken over the university. If I had stayed at Macquarie or elsewhere, I would certainly be attacked by those people. I got out just at the right time, because just before my retirement the Vice-Chancellor of Macquarie, where I was then working, left and was replaced by an American preoccupied with league tables and publication outputs and so on. Since then, your worth as a member of the academic community has been assessed on the basis of how many articles you have written, with the minimum being four articles a year. You can't just turn out papers like that, not to mention books or translations.

The *Dream of the Red Chamber* is a good example. I don't know how long it took David Hawkes and John Minford to translate this novel into English or how many hours they spent on it, but you need a huge amount of dedication and time. I had previously read Gladys Yang and Yang Xianyi's translation, but when I saw the first volume of Hawkes' translation, which he called *The Story of the Stone*, literally every sentence I would *pai an jiao jue* [拍案叫絕, strike the table and shout bravo]. It was just so stunning: every word, every sentence had obviously been thought about for hours and hours. And the same goes for Joseph Needham's *Science and Civilisation in China*. Needham would never be able to do what he did in today's environment.

AR: What advice do you have for young scholars today?

DK: You have to 'cultivate your own garden', as they say. And many people do, and in the most unexpected places. Sometimes I'm surprised to meet students who are very impressive and knowledgeable despite the educational system. I went to Rome a couple of years ago and I visited John Keats' grave. There were some American students there too, and there was one American girl who was crying in front of Keats' grave, she was just pouring her heart out. I thought that was just so utterly amazing because, you know, a 20-year-old girl now could develop such an appreciation of Keats. ■

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